App. F. IX-4

1921.

File No. 265-21

Serial Nos. 33-51

Previous References
Mrg 265 21 - abk scrds
244-75-1-4

Later References
Mrg 38-29-1-2
196-30-1-6

General and Revenue Secretariat.

Serial Nos. 19

Part B for February 1928.

SUBJECT

Reports the pendency of the scheme suit for the management of the Sri Subrahmanya Swami temple at Subrahmanya.

DR. 1469 dated 23.2.28 To the Mrg Coll.

Forwards a copy of communication from the Mysore Government received from the Resident stating that the contemplated application for the modification of the scheme will be filed in the District Court.

24069

No. C 452 of 24 Office of the Muzrai Commissioner in Mysore.
one

Dated Bangalore, 10th December 1925.
11

D. No. 685
Muz. 265-21-33

From

C. S. Balasundaram Iyer, Esq., B.A.,
Muzrai Commissioner in Mysore,
Bangalore.

B. Srinivasa Iyengar, Esq., B.A., B.L.,
Secretary to the Government of
His Highness the Maharaja of Mysore,
Revenue Department.

AV 14/12

Sir,

With reference to correspondence ending with your letter No.8/M.F.265-21-32 dated 3rd July 1925 in the matter of the --- management of the Sri Subrahmanyaswami temple at Subrahmanya, I have the honor to forward herewith for the information of Government copy of letter No.O.C.484-21 dated 8th instant from the --- Deputy Commissioner, Hassan District, reporting on the present stage of pendancy of the scheme suit in the Court of the Sub-Judge at Mangalore.

D

I have the honor to be,
Sir,
Your most obedient servant,
CS Balasundaram Iyer
Muzrai Commissioner.

KSR.

The connected files are submitted. The further report in the subject may be awaited.
Submitted
21/12

Letter No.Muz.484-21/O.C. dated 1st/8th December 1925 from the Deputy Commissioner, Hassan District to the Muzrai Commissioner in Mysore.

2

"Subject:- Scheme suit for the better management of Sri ~~xxxx~~ Subramanya Swamy temple at Subramanya.

"Referring to correspondence ending with your letter No.452-23 dated 9th July 1925 re: the scheme suit pending in the Court of the Sub Judge at Mangalore, I have the honor to state that the Sub Judge who was requested to intimate the present stage of the suit - intimated in his No.1928 dated 19th November 1925 that the case was posted for hearing on 24th November 1925, at the request of the -- parties who proposed to refer the subject matter of the suit to -- arbitration. The Sub Judge has been requested to kindly intimate his decision on the petition for arbitration and also to forward a copy thereof. On receipt of this copy the points referred to ---- arbitration will be known and the same will be forwarded to you for information, with any suggestions that may be made to Government for safe-guarding the interests of the Government in connection with the

administration

... (to Mysore) charities in this temple.

"C o p y"

Munsif Commissioner.

KSR.

G.R.S. III—3]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

D.1021. Petition from the Mgr.
Mur 265-21-34 Parpattegan Srinivasa
Rao of the Sri Subrahmanya
Swamy temple praying
~~that~~ the names of
the Mysore representative
on the Committee for
the management of
the said temple may
be intimated to the
members of the Panchā-
yat appointed by the
Court etc.

Members orders thereon.
When was the petition
received.
3 I don't find any
note of its receipt in
the file.
4 This may be expe-

No file in which this
document is to be put
to function of a Judge.
Note what?

SBG.
18/3

N.B.—Should routine notes be written on small slips the notes must be copied, slips pasted on this form.

Routine Notes.

[To be used only for notes, requisitions, etc, not intended for permanent record.]

5 It is respectfully submitted that the Petition from Srinivasa Roo was received in the Br. on 9/3/26 and was submitted with a DO that very day and was issued on 11/3/1926.

Submitted.

M
11.3.26.

6 On the papers the Registrar Sairam's Remi letter has been sent to the Mag Conr. to with a request that a report of the further action taken in the matter of Mr. Desai being appointed on the Sri Subrahmanya temple Management Committee should be sent at an Early date.

Quick Remr will be sent

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

The progress writer.

3.'26

Seen
The receipt of the petition should be noted in the Register

1137

5

WD 01264—GPB—40,000 -17-12-26

[App. F. III—2

eneral and Revenue Secretariat

File No 265 of 192 (

Serial No 36

From, The Muz. Comr
Letter no. C.650 Dy 30.3.26.
Submits further report in the matter of the better management of Sri Subrahmanya Swamy temple at Subrahmanya.

W

& The M.C. forwards a copy of Hassan D.C's letter Dy 23/3/26 about the representation of Mysore interests in the future management of the temple, and requests that the legislative Secretary may be consulted and the Collector moved through the Hon'ble the Resident in order to allow adequate representation of Mysore interests in the Scheme of management to be framed by the Court.

Submitted for orders as to whether the papers may be sent to the Legal Secretary for favour of opinion.

W 6-4-26

Dy 7.4.26 To the L.L Secy may be consulted in the matter.

Rev. Secy

H Yes. please 7/4

L. L. Secy

7/4

NOTE—Contn. Sheet

WD 01264—GPB—40,000 17-12-25

General and Revenue Secretariat

File No 265 of 192 /.

Serial No

B As the Mysore Govt is no party to the Suit, the only course that suggests itself to me is to move the Collector through the Resident to give instructions to the Plfs who obtained sanction from him on the conditions laid down in Collector's Proceedings of 20 March 1923, to wit the 8th condition laid down in para 7 of the Proceedings, to bring to the notice of the Court the necessity of appointing 2 Representatives of Mysore Govt as trustees to safeguard the interests of Govt also

K 1

14 Rev Sec'y
with Comptt.

8-4

15 1st member

16 Draft order as suggested
for the A.G. and may be
put up for submission for approval

293
10.4

AV
12/4

Recd at
4.55
p.m.

Dftn. submitted for approval.

AV 14.4.25 14/4 Rev. Secy

15/4

The draft required by the Govt
has been sent to member.

15/4 Typed in
Please.

NOTE—Contn. Sheet

WD 01264—GPB—40,000 -17-12-25

Serial No	
	18 Typed D/f. Submn Regd:- Paras 16 & 17 19 17.4.26 Typed draft (as approved by the Secy) is submitted for approval. 20 I Sr. member) 21 19/4 22 Secy's Signature 19/4
37	To, The Secy to the Hon'ble the Resident No Pol. 1001 & 24.4.26. Requests that the Collector S. canara, may be moved to give instructions to the Plaintiffs to bring to the notice of the Court the necessity of appointing Mysore representatives as trustees to safeguard the interests of the Mysore Govt in respect of the temple management.
36	From. the Muz. Comr Letter no. C.650 & 3.5.26. Forwards a copy of Harkara Dy. Comr's. letter intimating that a decree in terms of the award filed by the Arbitrators was given by the Court on 31-3-26 and that under the said decree a board consisting of 5 members has been appointed for the

NOTE—Contn. Sheet

WD 01264—GPB—40,000 -17-12-25

General and Revenue Secretariat | File No 65 of 192 .

Serial No

future management of the temple.

23 The M.C. promises to submit a copy of the award and the order of the Court The receipt of which may be awaited.

From a copy of the Sub Judge's letter Dy 10.4.26, it will be seen that under the modified scheme, sanctioned for the better management of the institution, a Board consisting of 5 members has been appointed by the Court - All the 5 gentlemen happen to be natives of Karkal and Mangalore, and there is not a single Mysore representative on the Board - The Collector of Mangalore has been represented through the Residency in the matter of the claim of Mysore to a proper representation on the Board, and no reply has been received -

25 May the A & L Secy be consulted as to the further action to be taken in the matter?

Submitted.

26 Rev. Secy

A 6.5.26.

A 6/5

(Asst. Secy)

A 7/5 - A 7/5

160 7.5

Yes A 7/5

(Secy)

NOTE—Contn. Sheet

WD 01264—GPB—40,000—17-12-25

Serial No.

Lawr 15/5/26

20 The decree seems to have been passed sanctioning the Scheme for the management of the affairs of the Temple.

21 The Bd of management is appointed to carry out the duties of Trustees.

They are bound to administer the trust properties in conformity with the conditions laid down by the donors of property endowed to the Temple.

22 If they fail to do their duties, such action as is authorized by law may be taken by Govt.

23 Till then it does there seems to be no cause of action for Govt to move in the matter.

23
1st hr
Thro Revenue

8/5
h
11.5.26

Mudr. Issue
308
11.5.26

1st No 35

Seen
W/C for the Comm'r from whom N C may be called for before taking any further action

23
5-h
12/5

Sec'y
12/5

From, the Asst. Comr
Letter no. C. 650 dt 31. 5. 26.
Submits further report
The matter.

NOTE—Contn. Sheet

WD 01264—GPB—40,000 -17-12-25

General and Revenue Secretariat | File No 265 of 192 /.

Serial No

37 The Muz. Comr. Submits a copy of the award passed by the arbitrators in the Scheme Suit with a Scheme for the management of the above temple.

38 As regard the grant of a sum of Rs 35-8-0 a month paid by the Mysore Govt. for feeding 12 Brahmans daily and for maintaining 2 permanent lights, the Muz. Comr. Suggests that we can satisfy ourselves by calling for an annual report from the Mysore Parpathegar that the Services are being done properly, and points out that it is not possible to maintain separate accounts. He adds that a further representation may be made to the Collector, South Kanara, for including 2 members on behalf of the Mysore Govt. in the Board of Trustees appointed for the management of the temple.

39 Submit. for orders

AL 4.6.26. RL 4.6.26 Refs:- Members minute (of 11-5-26) on the previous page.

The Residency has been addressed (Ref X) to move the Collector S. Canara

X

NOTE—Contn. Sheet

WD 01264—GPB—40,000 –17-12-25

General and Revenue Secretariat | File No 185 of 1921.

Serial No

As regards the necessity of appointing some representatives of the Mysore Govt, as trustees, to safeguard the interests of this Govt in respect of the Temple management. No reply has been received, so far.

U Rev. Secy

U2 A reminder may perhaps be sent to the Residency who may be informed that five trustees are reported to have been appointed and that is no representative of the Mysore Govt on the Board

U3 At the same time it is desirable if anything can be done at this stage Attention is invited to Dy Secretary's opinion ~~[illegible]~~ dated 10th may above

U1 (2nd member)

Rev 9626

685/11-6

U1 We may address the Resy as suggested by U2 Some such letter as ready to our letter in which we urged the need for having our representatives on the Bd of management. Whether this representation was placed before the Court or not and if it was why the Court did not comply with our request are points on which no information has been furnished Our Voice in Management can not be effective unless our representatives are on the Bd ——

NOTE—Contn. Sheet

Serial No

46

As regards the other point - Namely that relating to Separate accts for our Contributions for Keeping two Nandadipas and feeding 12 Brahmins, I think we have to accept the View of the arbitrators as stated by Mr. C.

47 A draft to Resy may be put up

13.6.26

GRO 166 draft F 16/6

48

N Dft. submitted for orders.

AH 16.6.26.

40

From, the Secretary to the Resident.

Memo no. 5270 dt. 15.6.26.

a Forwards a copy of the letter addressed to him by the Govt of Madras asking for the receipt of this office Memo dt 26.6.26, and states that he is engaging arbitrators.

X Submits for orders as to whether in View of the above, a further Comn to the Residency is now necessary in the matter.

AH 19.6.26. Madras Govt Secretary's letter (K 6), since received (thro' the Residency) thro

Contn. Sheet

General and Revenue Secretariat.

File No. 265 of 192/

Serial No

that the matter is engaging attention. A further communication to the Residency does not seem necessary ~~to be made~~ Submitted for orders.

51 Regd:- Members minute above (dated 13-6-26).

Rev. Secy

20/6

52 Reference is invited to the members minute dated 30th instant A communication has been received from the Residency forwarding copy of a letter from the Madras Govt that the request made in our letter POL 1001 dated 24.4.26 (Flag) was engaging attention There is not much use in pursuing that ~~matter~~ at present for the arbitrators committee have submitted their award and the Court has already decreed the suit in terms of the award.

53 In regard to points raised in the second members minute I beg to state that the arbitrators committee ignored the suggestions of the Director made in Para 7 of this order but the Deputy Commissioner Hassan had brought them to the notice of the Court (Flag W) before the passing of the decree This has had no effect

In his reply to the Dc the sole judge (Flag L) gives no reasons for ignoring the claims of Mysore but says that all further communications may be addressed to the Board who has appointed There is not much use in addressing the Court any further

53 It is advisable to request the intervention of the

NOTE—Contn. Sheet

G.R.S. III-2f

WD 2119—GPB—10.60 —27-4-25

File No. of 19

General and Revenue Secretariat.

Serial No.

NOTE—Contn. Sheet

D 1571

(14

General and Revenue Secretariat.

Mmz. File No. 265 of 1921

Serial No

Collector himself, if that is possible under the Law. At any rate this seems to be the only course left open to us for the present. A Draft typed letter to the Residency is put up for consideration

916. 23-6

Second member)

CRO 22 6 26

55 Appd Mmz 24.6.26

Cdr 58 980 Rec'd 28/6

41. To, The Secy to the Hon'ble the Resident No POL 1180 dt 25.6.26.

States that info has been read for the Mysore Paupatheygar that there is no Mysore representative on the Board of management, that the request of the Mysore Govt on the collector's suggestion for the inclusion of the Mysore representative in the Committee of management has been ignored both by the Selection Committee and the Court & requests that the Govt of Madras may be moved to arrange for the inclusion of the Mysore representatives in the Committee of management

917

42. From, The Mmz Govt, Letter no C. 650 dt 16-11-1926.

Requests that a further representation be made to the Govt of South

NOTE—Contn. Sheet

G.R.S. III-2f

WD 2119—GPB—10.000— 7-4-25

File No. of 19 .

General and Revenue Secretariat.

Serial No.

NOTE—Contn. Sheet

WD 61229—GPB—37,500—1-9-26
App. F. III—2

General and Revenue Secretariat | File No. | of 192

Serial No.

of the Mysore Govt on the Board of Trustees appointed for the management of Sri Subrah. manya Swamy temple.

57 The Govt of Madras has been moved through the Residency for the inclusion of 2 Mysore representatives on the Board, and its reply is awaited.

43. From the Secretary to the Resident, Letter no. 9864/1394-1698 dd 15.11.26. states that the matter is under the consideration of the Board of Commissioners for Hindu Religious Endowments, and that the Govt of Madras have promised to send a reply.

58 The further reply promised may be awaited.

Submitted.

Mr 16/11/26

Sd Secretary

OFFICE OF THE SECRETARY TO GOVERNMENT SECOND MEMBER EXECUTIVE COUNCIL 22 NOV. 1926 No. 3480.

63 Another letter from the Residency bearing their Confl. No. 2611/26 dated 21/11/26 with AV 23/11

Sheet

67 Submitted Mr 23.11.26 23/11/26

68 Secretary 23/11/26

WD 01229—GPB—37,500—1-9-26
App. F. III—2]

General and Revenue Secretariat | File No. 265 of 192 /

Serial No.

B

From, The Secretary to The Resident
Letter no. 10351 dt 30-11-1926.
Forwards a copy of letter
no. 4922 dt 19. 11. 1926 from the
Secy to Madras Local self
Govt Deptt
63 It will be seen from the
above letter that the Madras Govt
agree with the views of the Board
of Commissioners for Hindu Religious
Endowments that the representation
of the Mysore Govt on the Board
of the management of the temple cannot be
provided for in the Scheme for
the management of the temple
as such a course will be against
the provisions of the Madras
Hindu Religious Endowments Act, 1923
Vesting in temple committees
the power to appoint Trustees
and that the Board is willing
none the court to insert provision
in the scheme to afford facilities
to the Mysore Govt to make suggestions
and representations in regard to the
management of the temple and to
direct the temple committee
to give notice before making
appointments to the Board of
Trustees,

NOTE—Contn. Sheet

WD 01229—GPB—37,500—1-9-26
App. F. III—2]

General and Revenue Secretariat | File No. 265 of 1921

Serial No.

and also to give the suggestions of the Govt. careful consideration. (6d) May the A & L Secy be consulted as to the further action to be taken in the matter?

Submitted. For orders.

2-12-26

65 Merely cause given now for the impression that Govt. seems to ask the Madras Govt. through the Residency to direct the Board to move the Court to insert Provision in the Scheme to afford facilities to this Govt. to have a voice in the Temple management, as the Mysore Govt. have largely endowed the temple. The A & L Secy's result may perhaps be consulted in the matter?

2/12/26

What is the Govt's Can we have copy on the Govt. of the Temple? DNC 7/12

(6d)

The communication received from the Residency is submitted for perusal. This may be communicated to the Mysr. Govt. for information. The Committee of the institution is a purely elected body and has the power to appoint trustees. The Board of Commissioners state that representation for Mysore on the Board of Trustees cannot be specifically provided in the scheme as this will interfere with the discretion vested in the Committee.

WD 01229—GPB—37,500—1-9-26
App. F. III—2J

General and Revenue Secretariat | File No. 215 of 192 1

Serial No.

67

They say however that provision can be made in the scheme requiring the Committee to consider the representations of the Mysore Government in making appointments to the Board of Trustees. It would seem apt if this is done. The Committee will have to be requested to nominate one or two from people to the Board of Trustees. (Whether the Committee which can be asked to consider our representations and invariably consult us in making appointments of Trustees cannot be asked to appoint a certain number of men on our suggestion is for legal opinion. The Madras Govt seem to think that it cannot)

FINANCE DEPARTMENT
C. C. No. 1694.

Hlsec (Mis) 68 9/12

The reply is not very satisfactory. My Chief Secretary may be informed of the result - Let us see if he has any more remarks to offer.

2nd member 11/12

OFFICE OF THE SECOND MEMBER OF COUNCIL
13 DEC. 1926
No. 4093

69 A. Yes

14.12.26

70 Mem Board 14/12

14/12

1843
14/12

NOTE—Contn Sheet

Serial No.

71

Draft letter to Mg in Jud Dep.

BG 21/12/26

45 To, The Insp. Genl.

Letter no. 1209 Dy 31-12-1926.

Forwards copy of letter from the Madras Govt to the Insp. Genl and enquires whether he should suggest any further action being taken in the matter.

46. From, The President of the Board of Trustees, Letter no. B.O.R. 30/1927 Dy July 1927.

States that a Board has been appointed, and requests that all matters relating to the temple may be dealt with either with the Board or with the Mangr

To Submit. for orders.

BG 18.7.27. A Copy of this will if approved be sent to the Mng Comm for information.

BG 18/7/27

To Yes draft

MG 18/7

To Submit

MG 20.7.27

BG 20/7/27

App. F. III—2]

General and Revenue Secretariat. Mer2 File No. 265 of 1921.

Serial No.

76 The letter of the President of the Trustees is for perusal.
The draft to the Mur C.r. is for approval
Mr 21/7

77

78 Second Member)
Mr 27/7/27

OFFICE OF THE SECOND MEMBER OF COUNCIL
27 JULY 1927
No. 472

1110/27/7

Done
Mr 27/7

47 To. Mer Comrs
No 205 & 29.7.27.
Forwards copy of the Presdt's letter & calls for Submission of the report already due from the Muz. Comr.

Jw 18/8/27

48. Letter No. C. 513 Dy 1-11-27.
Recommends that the Board may be requested to allow the Mysore Parpathegar to attend its meetings and to send a copy of the Pro. of each meeting to the Dy. Comr for info.

M Dy In their letter Dy 19th Novr 26, the Govt of Madras stated that

NOTE—Contn. sheet.

WD 2293—GPB—10,000—4-5-27

2/9

App. F. III—2]

General and Revenue Secretariat. | File No 265 of 1921.

Serial No.

The Board of Commissioners has willing to move the Court to insert provision in the Scheme to afford facilities to the Mysore Govt to make suggestions and representations in regard to the management of the temples. The M.C. points out that the above provision will to some extent safeguard the interests of Mysore Govt in connection with the daily services in the temple etc, and requests that the Court may be moved to include the provision in the Scheme if no motion has till now, been made in the matter.

So submit for orders.

81 Dft to Rs. Tamil

MS

12-11-1927.

15-11-27

82

Rs. Submit for consideration

MS 10/4

16/11/27 18/11/27 n/4

83

2nd Revised Draft 2/12

2/12

Draft a.n.

FINANCIAL SECRETARY
23 NOV. 1927
No. 7830

SECRETARIAT
22 NOV. 1927
2815

n22 22/11/27

NOTE—Contn sheet

WD 0321—GPb—60,000—24 5 27

1076

22

App. F. III—2]

General and Revenue Secretariat | File No 265 of 1921.

Serial No	
49	To, The Secty. to The Hnble The Resident Letter (Pol) no 613 Dy 25.11.27 Requests that the Board of Comrs may be asked to move the Court to insert a provision in the scheme for the management of Sri Subrahmanya Swamy temple at Subrahmanya, to afford facilities to the Mysore Govt to make suggestions and representations etc
50	From, the Secty to The Hnble The Resident — Letter no 1440 Dy 10/12/28. Forwards a copy of letter from the Madras Govt stating that the contemplated application for the modification of the Scheme will be filed in the Distt Court, and that the request of the Mysore Govt that the Mysore Parupathegar may be allowed to attend the meeting of the Board etc will then be duly considered. Submr. for orders with a Draft to the

9.

16 FEB. 1929
No. 4582

Please

15/2/28

Note—Contn sheet

15/2/28

2nd Member 16/2

16/2

16.2.28

WD 0321—GPB—60 000—24 5 27

General and Revenue Secretariat.

File No. 265 of 1921.

Serial No. 37

To the Mag. Comr.

RC. 1469 dated 23.2.28.

Forwards a copy of the communication from the Madras Govt. received from the Residency stating that the contemplated application for the modification of the scheme for the management of the Sri Subrahmanya Swamy will be filed in the District Court

NOTE—Contn. sheet

WD 0324—GPB —60,000—24-5 27

APP. F. VI. GI.]

SUBJECT.....

Section

File No. 265-21

Diary No. of letter replied to... (17)...

Seria No. 35

No. 1176

To The Secy. Govt.

General and Revenue Secretariat

( )

the 192

Sir,

Date of issue 11/3/26

Signed by Mr. N.

With reference to the correspondence ending with your letter no. C.452 dt 11th Dec. 1925 reporting on the present stage of pendancy of the Scheme suit in the court of the Sub Judge at Mangalore, I am directed to forward herewith petition no. 1021 from Mr. Narpatheeya Srinivasa Rao & Mr. Narayana Iyer praying that ...

over

D/S. Submit
11
9.3.1926.
for approval.
Rev. Secy
2
9/3.
Issue and then submit to 1st member for 10/3. Dept. resubmit 11/3

List of enclosures .....

The Dft. has issued and the file is re-submitted.

Copied by.....

11.3.26 - For perusal.
Examined by.....
1st member
2
12/3

446
13.3

WD 0562—GPB—31,000—17-8-25

when we [illegible] 14/3

The Mysore representatives
on the committee for the
management of ~~Sri Satsab~~ the said temple
~~managa swamy temple~~
~~in the Uppinangadi Taluk~~,
may be intimated to the members of
the Panchayat appointed
by the Court &c. and to
request that ~~the further~~ the next further action
~~report in the matter,~~ may be taken at once
~~may be~~ submitted at
an early date.

I have &c.

10/3
9/3 D/g) Rao Secretary.

9-3-26

4C363

26

No. C 65 of 25-26 one. Office of the Muzrai Commissioner in Mysore.

Dated Bangalore, 29th March 1926. 30.

D. 1137

Muz. 265-21-36

From

B. Ramaswamaiya, Esq., B.A., B.L.,
Muzrai Commissioner in Mysore,
Bangalore.

To

B. Srinivasa Iyengar, Esq., B.A., B.L.,
Secretary to the Government of
His Highness the Maharaja of Mysore,
Revenue Department.

K 313

Sir,

AV 31/3 ref. file forwarded with 5/4/26. MM

With reference to correspondence ending with your letter --- No.1176/M.F.265-21 dated the 11th instant, re scheme suit for the - better management of the temple of Sri Subrahmanyaswami at Subrahmanya I have the honor to forward herewith copy of letter No.1095-25 dated the 23rd instant from the Deputy Commissioner, Hassan District, stating that at the instance of the parties in the suit, the Sub Judge has - referred the matter to an arbitration committee for award and that the award would soon be placed before him for decision and stating that it is necessary to make due provision for the representation of Mysore interests in the future management of the institution. The Deputy Commissioner further states that he has written to the Sub-Judge for a copy of the award and for a consideration of the ------- observations made by the Collector in his proceedings of the 3rd -- January 1923 about the representation of Mysore interests in the -- future management of the temple.

2. In view of the above and also of the fact that the Collector of South Kanara has already stated (vide his letter dated 15th June 1922 received through the Secretary to the Government of Madras, - Local Self Government) that the request of the Mysore Government -- would be borne in mind when occasion for action arose, I request that the Legislative Secretary to Government may kindly be consulted and the Collector moved through the Honourable the Resident in Mysore to allow adequate representation of mysore interests in the scheme -

E (Copy)

of

of management to be framed by the court.

I have the honor to be,

Sir,

Your most obedient servant,

29/3/16

for Muzrai Commissioner.

KSR.

Nil (absent from station)

Letter No.1095-25/Muz. dated 22/23rd March 1926 from the Deputy Commissioner, Hassan District to the Muzrai Commissioner in Mysore.

Subject.

Scheme suit for the better management of Sri Subrahmanyaswamy temple at Subrahmanya.

In forwarding herewith in original Saklespur Sub Division Officer's No.181-25 dated 15th March 1926 forwarding Mr. Thimmappaiya's communication that at the instance of the parties in the above suit, the Sub Judge has referred the matter to an Arbitration Committee, for award and that this award would soon be placed before him for decision, I have the -- honor to state that it is necessary to make due provision for the ----- representation of Mysore interests in the future management of the temple and to request that you will be so good as to move Government in the -- matter.

I have addressed the Sub Judge separately requesting that a copy of the award of the Arbitration Committee might be sent to me and that in the decision that may be arrived at by him, due regard may be had to the observation of the Collector of South Canara in the last para of his ---

his proceedings (No.4015-22 dated 3-1-33) and that the question of the representation of Mysore interests in the future management of the temple referred to ~~xxxx~~ therein may be duly considered. It appears to me to me to be necessary to insert the following conditions in the decision.

(1) That the management should include one or two of the Mysore ----- representatives, viz., the Amildar or the Sub Division Officer Saklespur and also another non-official gentleman to be appointed by the Mysore -- Government;

(2) That the sevas should be properly conducted, viz., the Nanda Dipa is to be separately lit in the temple and that the daily Santarpane out of the monthly grant or Padithara be conducted as a different seva and should not be mixed up with the general feeding and that the Mysore ---- Parapathegar residing at Subrahmanya should be permitted to see that thes daily sevas ~~xx~~ are duly performed."

"C o p y"

for Muzrai Commissioner.

A. & P. F. VI. Gl.]

SUBJECT. .....

.....

.....

Section Jmg

File No. 265-2

Diary No. of letter replied to.....

Seria No. - 37

No. Pol. 1001 & one

General and Revenue Secretariat

)

the 192

To .....The.....Secretary...to...the

Hon'ble the British Resident

in myfore.

Date of issue 24-4-26

Scio,

Signed by Mr. B. Sivarama Krishna Iyer (Secy)

I am directed to ~~Adverting To~~ your No. 8301/394-1895 dy 25th October 1922 ~~enclosing~~ a copy of letter from the Collector of South Canara No 3246-22-E1. dy 15th June 1922 ~~Stating that~~ on the subject of ~~with ref. to~~ the scheme sent in respect of Sri Subrahmanya Swa temple of Subrahmanya, Uppinangadi Taluk, Tal in request of the [illegible]

(E.)

in the matter of

List of enclosures .....

Copied by Mr. [illegible] & Long Grant from

Examined by the Superintendent

over

to adequate representation
in the management of the
trusts will be borne in mind
when occasion for action
arises. I am directed to
state that, at the instance
of the parties in the suit,
the Sub Judge has referred
the matters to an arbitration
Committee for award and that
award would soon be placed
before him for decision.
The Myforce Govt is
party to the suit, I
to request that the
obn may be pleased
give instructions to the
Plaintiffs who obtained
sanction from him in the
Conditions laid down in
the Proceedings
of the Collector of South
Canara, D 20-3-1923
(Appointment of Baltansadi Committee)
to invite the conditions laid down

G. R. S. G/33]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form.*)

in accordance with Sec. 77 of the Collectors Powers Act empowered to

in para 7 of the Proceedings to bring to the notice of the Court the necessity of appointing the representatives of the Mysore Govt as Trustees to safe-guard the interests of this Govt in respect of the temple management I have etc.

15/4/26 Secretary 14/4/26

Memo No. 1355/Jud 265-21 Copy to the Jud. Comr with ref. to his letter No. C. 650 dt 30.3.26

By order,

15/4 Secretary

14-4-26

Pol. 1001 D 24/4/2

Muz 265-21-37

To

The Secretary to the Hon'ble
the Resident in Mysore.

Sir,

I am directed to invite kind refere to your letter No. 8301/304-1898 dated 25-10-1922, in the matter of the scheme in respect of Sri Subrahmanya Swami te at Subrahmanya, Uppinangadi Taluk, and state that that the Collector of South Cana having accorded sanction to the scheme on the conditi laid down in his Proceedings ~~(of the Colle tor of South Canara, Beltangadi camp~~ date 20-3-1923 (copy enclosed), a ~~scheme~~ suit reported to have been filed before the Judge at Mangalore, ~~and~~ that at the instance of the parties in the suit, the Judge has referred the matter to an arbitration Committee for award and that the award would soon be placed before the Court for decision. As the Mysore Government is party to the suit, I am to request that Collector, South Canara may be asked to give instructions to the Plaintiffs obtained sanction for, to file the notice of the Court, in accordance with condition 7 of the Collector's Proceeding above referred to the necessity of appointing some representatives of the Mysore Govt. as trustees to safeguard the interests this Govt. in respect of the temple and its

I have &c...

Revenue Secretary.

Memo No. 1355 D 24/4/26
Muz. 265-21

Copy to the Muz. Commr.
with reference to his letter
No. C.650 dated 30-5-1925.

B.O.

REVENUE SECRETARY.

46514

34

No. C 650 D 25-26 enclosures Office of the Muzrai Commissioner in Mysore.

Dated Bangalore, 3rd May 1926.

From

C. Palasundaram Iyer, Esq., B.A.,

Muzrai Commissioner in Mysore,

Bangalore.

To

B. Srinivasa Iyengar, Esq., B.A., B.L.,

Secretary to the Government of His Highness the Maharaja of Mysore,

Revenue Department,

Bangalore.

GEN. & REV. SECRETARIAT. 5-MAY 1926 MUZRAI D 13024

GEN. & REV. SECTT. Br. Muz 4 MAY 1926 G. D. SECTION.

Muz. 265-21-38

Sir,

With reference to your memo No.1355/M.F.265-21 dated 24th April 1926, I have the honour to forward herewith a copy of letter No.1095-25 dated 24th April 1926 from the Deputy Commissioner, Hassan District, giving enclosure to a letter from the Sub Judge, South Canara intimating that a decree in terms of the award filed by the Arbitrators was given by the Court on 5th March 1926 and that under the said award a body of 5 members has been appointed to the Committee of Sri Subrahmanyaswami temple at Subrahmanya.

2. Copies of the award and the decree passed by the Court will be sent as soon as they are received from the Deputy Commissioner.

I have the honour to be,

Sir,

Your most obedient servant,

C S Balasundaram Iyer

Muzrai Commissioner in Mysore.

KSR.

Letter No.1057, dated 24th April 1926 from the Deputy Commissioner, South Kanara to the Mysore Commissioner in Coorg.

Subject.

"Scheme submitted by the Board of Management of Sri Subrahmanyaswamy temple at Subrahmanya.

Sir,

"In continuation of my letter No.1057-37/Mun.d 16th March 1926, I have the honour to forward herewith a copy of letter No.327 dated 10th April 1926 received from the Subordinate Judge, Mangalore intimating that a decree was passed in terms of the award by the arbitrators and that a board of management for the temple has been appointed by the said court and that all further references regarding the plaint temple should be made to the said Board.

As the terms of the award filed by the arbitrators and the order of the court are not known, I have requested the Sub Judge - Mangalore to furnish me with a copy of the same.

It appears to me that in accordance with the Revenue Secretary's letter No.8/Mun.d 2nd July 1925, this is just the time to refer to the consideration of the Board of the Collector of the District, the necessity for the due representation of the Mysore interests, if the

view of the large contribution which the Government is making for the daily areas and the Burmese Sanctuary."

"C o p y"

for Mutual Commissioner

Letter No.777 dated 10th April 1936 from the Head Sheristadar, Mangalore, to the Deputy Commissioner, South Kanara, Mangalore.

"With reference to your letter No.1095-25/Mur.dated 23-3-1936 I have the honor to inform you that in O.S.No.74 of 1923 (relating to Sri Subrahmanya temple) and the file of this court, the arbitrators filed their award with the proposed scheme for the future management of the said temple and that this court on 31-3-36 passed the suit in terms of the said award with a slight modification in regard to the scheme proposed, and that under the said scheme a Board consisting of the marginally noted 5

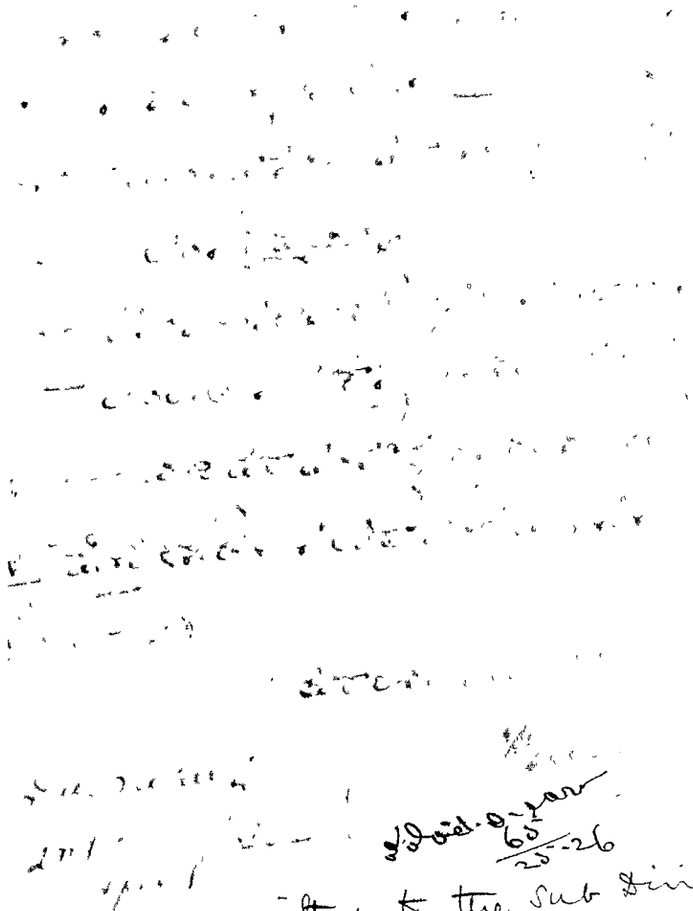
1. Messrs. Idya Vasudevaya, Vakil, Karkal,	members for the management
2. N.Krishna Bhat, Vakil, Mangalore.	of the temple has also been
3. M.Ananthe Shastry, Vakil, Mangalore.	appointed by this Court, and
4. P.Srivasa Holla, Vakil, Puttur.	
5. K.Ramachandra Achar, Vakil, Mangalore.	to request that all further

communications regarding the plaint temple affairs may be made to the said Board."

"C o p y"

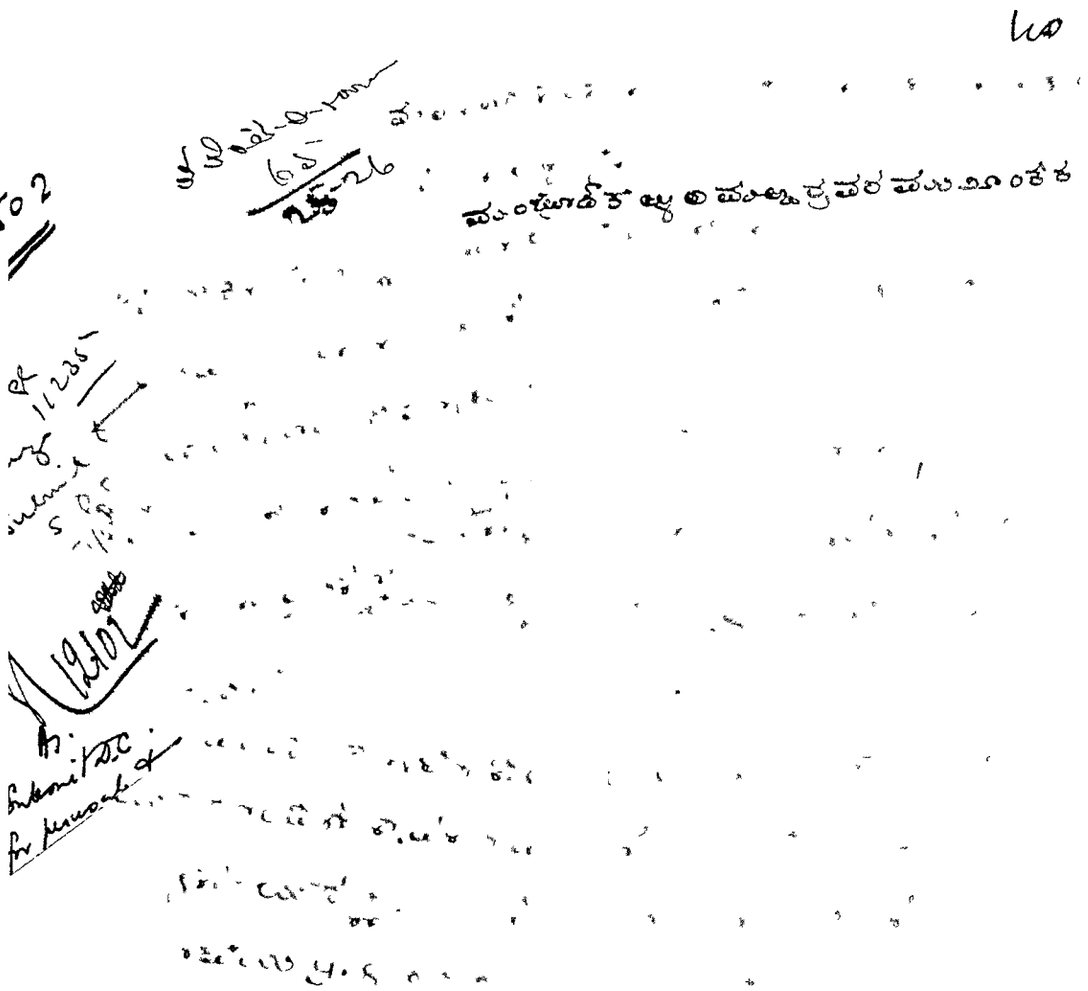
for Mg

Murrai Commissioner.



Submitted to the Sub Division Officer, Sarkaghat
for kind perusal & orders -

OFFICE OF THE DEPUTY HIGH COMMISSIONER FOR PALESTINE AT HASSAN



Memo

Submitted to the Deputy Commissioner Hassan,
which for favour perusal and orders

A W A R D

Arbitrators:- (1. T. Subba Rao.
(2. K. Lakshmi Narayan Rao.
Umpire :- (U. C. Krishna Bhat

In the matter of O.S.No.74 of 1923 on the file of the Subordinate Court of South Canara.

Between:-

1. Shrinivasa Bhatta.
2. Seetharama Bhatta.
3. Yadavendra Acharya.
4. Shrinivasaya.

Plaintiffs.

A N D

1. Anantha Ramappaya.
2. Perje Krishna Bhatta.
3. Ramanna Sagrithaya.
4. Pukkala Anantha Bhatta.
5. Vishnu Sampegathaya.
6. Subraya Sampigethaya.
7. Shyama Sampigethaya.
8. Rama Sampigethaya.

Defendants.

I. Suit under Section 92 of the Code of Civil Procedure. Ist deft. is the present trustee of the plaint Kukke " Sri Subramania Mahaswami Temple ". Defts 2 to 4 are the members of Shivalli Brahmin Temple Committee, under whose jurisdiction the plaint temple is. 2nd deft is now dead. Defts 5 to 8 have been impleaded as persons claiming vaidegeni right in respect of plaint B schedule property, of these defts 5,6 and 8 disclaim any present interest in the said property the same having fallen to the share of 7th deft in their family partition.

2. The rest of the parties applied to the Subordinate Judge's Court of South Kanara to refer the disputes involved in the suit to our arbitration with Mr. U.C.Krishna Bhatt as an Umpire in case of any difference of opinion between us, and the court having granted the application and sent the records of the case to u we went to the temple at the end of December last. e, after notice to the parties, conducted our enquiry, 3rd plaintiff and Ist deft being present in person and also Mr. K.R.Achar, vakil for plaintiffs and Mr. M. Anantha Shastri, vakil for 7th deft. After hearing them and on consideration of all materials placed before us, we proceeded to pass our Award as follows:-

3. The disputes between the parties are sufficiently indicated in the issues which are as follows:-

I. Whether the plaintiffs do not possess such an interest in the plaint institution as is contemplated by Section 92 of the C.P.P. and whether the sanction relied on by the plaintiffs is not valid?

2. What are the moveables belonging to the plaint temple and what is their correct value?

3. Whether the 1st deft is guilty of the various charges levelled against him in the plaint and whether the Ist deft is liable to be removed from his moktessorship?

4. Whether the appointment of new trustees is necessary in the interest of the Plaint temple?

5. Whether the vaidegeni in respect of plaint B schedule properties is only benami for the Ist defendant's brother?

6. Whether the plaint temple is entitled to recover possession of the B schedule properties free from the objections on the part of the defts Nos.5 to 8 ?

7. Whether the suit for recovery of possession of plaint B schedule properties is barred by limitation ?

8. Whether the defts Nos.5 to 8 and their ancestors have effected any and what improvements on the B schedule properties and whether they are entitled to any and what compensation for the same ?

9. Whether the claim for possession of B schedule properties against the defts Nos.5 to 8 is sustainable in this suit ?

IO. Is the suit bad for for misjoinder of causes of action and parties ?

II. Whether the pltffs' claim for the settlement of a scheme for management of the temple is sustainable in law ?

I2. Whether the pltffs are entitled to ask for an account of the management of the plaint temple by the Ist deft and if so, what amount, if any, is due from the Ist deft ?

I3. Whether the suit is bad for the non-joinder of Krishna Bhatta, one of the members of the temple committee ?

I4. What reliefs, if any, are the plaintiffs entitled to ?

4. Before we proceed to pronounce our finidngs on the above issues, the following facts may be stated.

5. The plaint Sri Subramanya Temple is suitable in Uppinangadi

Taluk in the old Revenue village of Kukke (now Subramania Kasaba) which adjoins Mysore Province on the East and Coorg on the South East and is held in great estimation by Hindus , not only of West Coast but also of Mysore Province and of Coorg and other parts of India.

6. The Temple gets an annual tasdik of Rs 4400/- from Briti British Government and Rs 95/- from Coorg Government. (It is said that only Rs 35/- is now being paid). [The Mysore State contributed at the rate of Rs 35-8-0 per month for daily Paditharas and Deeparadhana besides contributing about Rs 13/- towards remuneration to the staff of the temple including Archaka in supplying five monds of Sandal wood for use throughou the year and other Sundry provisions. Annually, during the time of Champa Shasti Festival, the said state also defrays the expenses of Barahazar Santharpana from Karthikai Bahula 12 to Margashira Sudda 15 and for this purpose sends of its own officials with provisions; and the dinners are conducted with the co-operation of temple authorities.]

7. The temple owns immoveable properties specified in the plaint assessed at Rs. 700-14-0. In addition to the above it also possess very valueable moveables and receives annually large sums in cash and other offerings in kind from devotees and votaries who resort to the temple in numbers from various parts. The annual income from all sources may be estimated to vary between 13 to 15 thousand Rupees.

8. There is no authentic record to show how the temple was managed till 1817. Since that year, the temple was under the management of the East India Company till 1845 through a Monegar when the District Collector appears to have made over the temple management to three trustees consisting of the then Swami of Subramania Mutt and two Ashramas who were also Archakas of the temple belonging to the families of Kolpe and Neranku, the vacancies among them being filled up by the

Collector till 1863 and b the [illegible] selection of the Swami for [illegible] the families of the two Ashramms. [illegible] of the Subramania Mutt was the last Swami that [illegible] ted by the committee.

9. In 1882, the temple committee suspended the [illegible] Thirthaswami from the management of the temple and appointed last deft's father Baglodi Ramakrishnaya and this led to Suit in O.S.No. 27 of 1886 on the file of the Sub Court b, the said Swami against the temple committee and the said [illegible] to get the order of his suspension cancelled and to get the appointment of Ramakrishnaya declared invalid and for a declaration of the heriditary right of the Mutt to the [illegible] and management of the temple. The courts held that the temple being subject to the temple Committee, neither the Swami of the Mutt nor any body else, had any heriditary right to the trusteeship.

10. Ramakrishnaya managed the temple from 1886 till his death in 1892. Though Ist deft's brother Bhoja Rao was appointed trustee in 1892 the swami continued to manage until 1892 when he was dismissed by the Committee. Since 1892, Bhoja Rao was conducting the management as managing trustee until his death in June 1918 when the committee appointed Ist deft in his place. The vacancy created by the death of Ashramma trustee was not filled up by the temple committee with the result that Bhoja Rao was the sole trustee for several years prior to his death. The present swami of the above said Mutt appears to have applied to the Committee to be appointed a trustee but without success. In O.S.No.252 of 1921, a member of Ashramma family sought for a declaration of his heriditary right to the trusteeship but the suit was not proceeded with to a successful termination.

11. It is seen from the above that the temple is subject to the [illegible] sdiction of the temple committee and that there are no [illegible] tary trustees for the temple and that prior to 1845 and

after 1899, the Swami of the Mutt had no hand in the management of the temple and from 1899 up to now the temple has been in the sole and direct management of Ist deft's brother and after him of Ist deft without any manager to conduct the management as was the case until 1886.

12. Ever since the dismissal of the Swami in 1899 and the assumption of management by Bhoja Rao, there has been constant suits between the Mutt and temple and the old feus continues even now during Ist deft's management but it is not necessary to detail the same for the purpose of this enquiry. Sufficient it to say, that by reason of some of these suits between the Mutt and the temple whoever may be the cause for these suits there are recurring claims between the Mutt and the temple.

13. The village of Subramaniya is in hilly tact and is considered not to be a healthy place. The place is not conveniently accessible during rains and it is apprently on accoint of these drawbacks, the village appears to have become very thinnly populated. We may observe that there are no respectable wargadars or educated people living within a reasonable distance except the Mutt authorities. The members of Baglodi family who have been managing trustees are perfect strangers to the village owing their properties and house in Mangalore Taluk and none either in the village of Subramaniya or near. They stay near the temple with their family in one of the buildings belonging to the temple. As trustees, they drew no salary but their boarding charges are being met out of temple funds.

14. There is an accountant, a store keeper and a Patali besides archakas and other office bearers. There are daily dinners served during the day in the temple to pilgrims and other brahmins inclusive of the Brahmin servants of the temple. Non-brahmins are either fed or they were given rice to cook as the contingency arises. As the archakas are prohibited from returning to their houses during their turn of Puja, and as they have to sleep at nights in the temple

precincts according to the custom, these archakas are also fed in the temple at night. All other office bearers are given rice to cook their night food.

15. The important annual festival takes place in the month of Margeshara on the Shudda on a very grand scale when large number of people gather and the said month is said to be the best part of the season in the year.

16. With these preliminary facts, we next proceed to record our findings on the several issues.

17. Issue No.1. Plffs who are 4 in number are some of the wargadars of Uppinangadi Kalur and are persons entitled to worship in the plaint temple and have as such an interest enabling them to institute the suit after obtaining sanction of the District Collector. Assuming that they are the adherents of Subramanya Mutt, that does not make them less the persons having an interest in the trust. We hold that plaintiffs possess such an interest in the plaint temple as is contemplated by Section 92 of C.P.C.

18. The plaint temple is a charitable as well as religious and public institution and the District Collector is competent to give the necessary sanction to file a suit for reliefs under Section 92 C.P.P. The Collector's enquiry relating to this suit lasted for about a year. 1st deft had notice of the enquiry and had even produced his accounts. The fact that his application for adjournment was refused is no ground for holding that there was no valid enquiry held prior to the passing of the order granting sanction. There is no rule which lays down that even notice should be given to the trustee sought to be removed. We hold that the sanction order was perfectly valid.

19. Issues Nos:5 to 10. These relates to items of plaint B schedule property. The said items were granted on ter lease to one Shrinivasa Sampigethaya, an ancestor of defts 5 to 8. On 8-11-1908 on a term lease for a period of 60 years for a low rent (as it is said) by the previous manager 1st deft's brother oresaid Bhoga Rao in conjunction with the then Ashramne

Moktessor. The said lessee was the father-in-law of D.1's elder brother. Plffs say that the said Bhoja Rao's wife and children are even now in occupation of the said leasehold. The Ist deft's brother's children being not parties to this suit, we thin it would serve no purpose to record a finidng on the 5th issue behind their back. The 7th deft to whose share these items are said to have fallen in his family partition urges among other things that the plffs are not entitled to seek possession from him in this suit (Issue 9). If this contention is valid, we think that other issues 6 to 8 raised in the suit does not require any decision in this suit. It seems to us that the above contention of 7th deft is valid. Plffs are only votaries filing the suit as such and not as trustees. In a suit brought under section 92 it seems to us that no decree can be passed against the alience for possession though he be aparty to the suit, as such a relief is neither spefially mentioned in the section nor is it implied in the section and that, in case of improper alienation by a trustee, the proper remedy is for the newly appointed trustees to institute a separate suit for possession against the alience. It may be that the alienees cannot be said to be improper parties but it cannot be said that they are necessary parties. Such being our view, we leave open the question raised by issues 5 to 8. We may note that the sanction given by the District Collector does not refer to a suit against the alienees. finding on issue 10 is " that the suit is bad for misjoindor of parties and causes of action as against defts 5 to 8 ". however hold that defts 5 to 8 will not be entitled to their costs. It cannot be said that they were not proper parties. The lease in respect of trust property by a trustee in favour of his close relations and for a long period of 60 years is prima facie a suspicious transaction and on these grounds, we disallow to defts 5 to 8 their costs. As regards the commission fees paid by them to value the improvements, we think

that in view of 7th deft's contention that he is not a necessary party and that the present suit against him for possession is not maintainable which we have upheld, we think they have unnecessarily applied for issue of commission and we disallow to defendants 5 to 8 the commission fee paid by them. The commissioner's report may be useful to them for the future and they can have no reasl grievance if their said costs are disallowed.

20. Issue 13. Krishna Bhatta referred to in the issue being dead, the issues does not arise.

21. Issues 11 and 4. We fail to see how a suit for settlement of a scheme is unsustainable in law. The mere fact that a temple is subject to the jurisdiction of the temple committee is, in our opinion, no ground for refusing a proper settlement of a scheme for the better management and advancement of the temple

22. While dealings with the 3rd issue, we are considering how far the specific charges levelled against the Ist deft in the plaint are sustainable but irrespective of our finidngs on those charges, we, after very anxious consider tion and having regard to the importance of the plaint temple and to the way in which the affairs of such temples oughted to be conducted and to the taxity and improdence in the present management have come to the conclusion that the system of leaving the whole management in the hands of a single trustee is undesireable as the continuance of such a system is likely to lead to arbitrary management and to give scope and temptation for misappropriation and misapplication of temple funds, and that, in the interest of the temple and for due and proper adminstration of trust, it is absolutely necessary to appoint a Board of new trustees vesting the temple and its properties in the said Board of trustees and framing rules for management and for adminstration of trust having regard to the nature and peculiar custom of the plaint institution and to appoint a paid manager from outside the Board of trustees to conduct the management under the control and supervision of the Board of trustees. The scheme that we propose will be appended to this Award and the same

take effect subject to its confirmation by the court and subject to such additions and variations as the court may deem fit to make.

23. Our findings on issues 4 and 11 will therefore be in the affirmative. As a result of these findings it follows that irrespective of our findings on the specific charges levelled against Ist Deft in the plaint, he should vacate his present office of managing trusteeship without being disqualified to be in the Board of new Trustees, if he fulfils the conditions laid in the scheme.

24. Issues No.3. Plaint paras 3 a and 5 b Plffs say that about Rs.1000/- has been shown in the accounts kept by Ist deft as having been spent in connection with a simple petition filed against him by one Subbaya Hebbara and others before the District Collector seeking sanction to file a suit for the removal of Ist deft from the trusteeship, suggesting thereby that a considerable portion of this amount must have gone to silence the said petitioners either not to press the petition or not to conduct the proceedings properly. The District Collector's orders granting the present sanction mentions that Rs.810-3-9 has been debited as the amount spent by Ist deft in connection with the above petition. Ist deft admits having spent about Rs.663/- and odd from the temple funds in the said matter. The above petition had been filed within less than year from Ist deft's appointment as trustee and lasted for more than a year. The petitioners were five in number and are not the sort of persons who in our opinion could have been prevailed upon by Ist deft to conduct a sham proceeding We have to consider whether a trustee can spend the trust funds to defend himself against the petition of the sort in question the proceeding having terminated in its dismissal. There is authority for the proposition that the monies applied by a trustee in defending himself for criminal offence cannot be charged against against the endowment but no authority has been

brought to our notice to sho, that the same rule applies in all other cases. It seems to us that, if the rule is otherwise, few people would come forward to the Honorary office of trusteeship of an endowment. The above enquiry appears to have been a protracted one, before the Tahsildar Revenue Divisional Officer and the District Collector and we are unable to say that the amount said to have been spent in that matter was very much excessive. The proceedings appear to have commenced in about March 1919 and concluded on 20-6-1920. Our finding is that 1st deft has not been proved guilty of the charges.

25. Plaint para 3b. The vaidegeni chit which is the subject matter of this charge is the one above referred to. If 1st deft was the person who had granted the vaidegeni, we should have considered the charges as being a serious one but he was not. The charge is that the 1st deft after he became the trustee has not taken steps to have the vaidegani set aside. As we have above stated, the vaidegeni was of 1902 and 1st deft became the trustee in June 1918. The first proceeding against 1st deft was started in about March 1919 and lasted till ~~192~~ 20-6-1920. The subsequent proceedings against him commenced in about March 1922 and closed in March 1923 and this was ~~allowed~~ followed by the present suit filed in September 1923. Whether, 1st deft had filed a suit would have succeeded, is not a matter which we are called upon to decide in dealing with this charge. From the dates which we have mentioned above, it cannot be said that 1st deft had sufficient breath given to him to decide as to what he should do as regards this lease. It may be that from the nature of the deft's answer to the charge, it has to be inferred that 1st deft was not in a mood to take any steps to set aside the vaidegeni but that is a different matter. The question is whether on the date the charge is laid against him, he can be said to have been guilty of rendering him liable to be removed. We think he has not and we find accordingly.

26. Plaint para 3(e). On the death of Bhoja Rao, the temple committee prepared the inventories of moveables. These were made on 12-6-1918 and 13-6-1918 in the presence of Potail, ice officers and others. During the course of the inquiry of

the petition of Subraya Hebbara and others mentioned above, the further inventory was made on 30-12-19 and 31-12-19. The ommission of ruby and gold from these inventories does not appear to have been urged in the course of the then enquiry before the District Collector nor does it appear from the order of the District Collector granting sanction for this suit that this charge had been urged before him. At any rate, the Collector's order does not make reference to any such charge. The gold which is the subject matter of this charge is apparently item 110 of plaint schedule C which will be referred to while dealing with 2nd issue. Our finding on this charge is that it is not proved that 1st deft has come by any gold or ruby which are not mentioned in the inventories prepared by the temple committee.

27. Plaint para 3(d). It is now admitted that one of the elephants was a female one and had no tusks and that the other named Ganapathi died in 1912. We are not satisfied that 1st deft has come into possession of any tusk after he became the trustee even if the last named animal had any tusk. If it had any tusks they must have disappeared in 1912 itself as we do not find any entry in the accounts of 1912 or of the subsequent period. This charge is found not to have been proved.

28. Plaint para 3(e) The facts in connection with this charge are these;--

The inventory of 12-6-18 related mainly to gold. Inventory of 13-6-18 related to silver and other articles. Item 13 is 488½ tolas of silver pieces. Item 64 is a locked and sealed wooden box in the bigUgrana containing silver of old lalike. Item 65 is silver pieces of an approximate weight of 10 maunds kept in the big wooden bin in the upper story of big Ugrana. Inventory of 30-12-19 shows that box referred to in item 64 of the inventory of 13-6-18 was opened and contents noted. Among the articles in the box are mentioned silver articles of laleke and the weight of different parts is therein noted. Inventor of 31-12-19 shows that the silver

piecesin the wooden bin in the upper story of Ugrana were weighed and there were of an actual weight of 13 maunds and 17½ seers per maund, and it is this item whose approximate weight had been mentioned in the inventory of 13-6-18 to be 10 maunds. 1st deft when he was examined on 18-4-19 in connection with the above mentioned petition of Subraya Hebbara and others stated that his brother had got some silver and kept them in bars for making a new silver lakli and that the silver plates of old lakli had been kept in a sealed box in the temple and that its contents have not been yet noted. We understood the charge to refer to the silver referred to in the above deposition of 1st deft. 1st deft's explanation before us is that he was not then personally aware of his brother having got kept any silver bars and that he made the above statement on the information given to him by the shanbhogue whom he has subsequently dismissed and that when he made the statement all the boxes had not been opened and examined and that he believed in the information as a new wooden lakli had been already made and as the accounts showed that some amounts had been advanced towards wages. We are inclined to accept the above explanation as we have not been referred to any entry in the account books of Bhoja Rao's time referring to any such silver bars having been kept or made. Taking the statement as it is that 1st deft has come by the said silver bars. It is one thing to say that Bhoja Rao got silver and made bars and quite another thing to say that 1st deft has come by them. From the several entries made in the inventories which we have noted above, we are unable to come to the conclusion that anysilver was intended to be omitted ~~fem-~~ from the inventories. On mere suspicion, we cannot hold that this charge has been made out.

29. Plaint para 3(f). 1st deft admits that the clock owned by the temple is still there but it is out of repairs. As regards the other two articles, he denies that the temple them at any time. - We find that the charge is not made out.

30. Plaint para 3(h). The District Collector's order shows and 1st deft admits that 232 tolas of gold had been taken from the stock of gold to prepare two gold sticks and that the two gold sticks made contain only 128½ tolas of gold. The District Collector asked and plffs repeat as to what became of the rest of the gold. It is from the accounts kept by 1st deft we find what quantity of gold had been taken from the temple stock for making the gold sticks and the very accounts kept by him also show that the gold taken were sorted as of 4 classes and that gold of inferior quality when purified yielded only lesser quantity of better gold. The quantity of inferior gold given for purification and the quantity got after purification both appear in the accounts. We think that if the above entries which were in the books then before the District Collector had been brought to his notice, he would not have made the remark which he has made in his order granting the sanction. We are led to believe that if 1st deft wanted to misappropriate any gold in this connection, he would not have shown in the accounts the qunatity of gold taken for makin of the two gold sticks. We have to hold that there is not much in this charge.

31. Plaint para (j). There is no basis on which this charge can be based The Mysore state supplies annually 5 maunds of sandal and it is intended to prepare paste and for distribution among the votaries. Besides this, devotees make sandalwood offerings but there is no account showing the quantity offered. The account books would seem to show that 1st deft had sold about 38 maunds of sandalwood and credited the sale proceeds to the temple accounts. It is not clear whether the sandalwood sold is of the annual supply made by Mysore State or out of the sandalwood offering made by devotees or out of both. As long as there is no stock book relating to sandalwood, it is not possible to find out if any sale proceeds have been misappropriated. It is pointed out that sale price shown as having been realised from sale of 38 maunds of sandalwood is very much less than the market price, but the price of the sandalwood depends upon its quantity and its age. The 1st deft intended

to misappropriate the sale proceeds, he could have very easily done it without exposing himself either by not mentioning about the sale(as there was no stock book) or by showing lesser quantity as having been sold and thus escaped himself scot free without any detection. We find the charge has not been brought home against 1st deft.

32. Plaint para 3(i) 1st deft admits that since the Shasti festival of 1921, open vessels were hung in canvas clothes for a period of 6 days for the reception of kanikas on account of large crowds. We think that the introduction of this new system in deviation of previous system of receiving kanike in closed vessels with lid is undesireable as it would give better and easier scope for misappropriation. If the previous system afford convenience to votaries to offer kanikes on acount of large crowds during shasti festival the ~~een~~ inconvenience may be avoided by other means as by keeping several closed and sealed dabbis in more places than one.

It does not however appear that the collections since 1921 as credited in the accounts are very much less than in previous years and we cannot say that there has been actual misappropriation, however much we may think that the new system affords greater facilities for misappropriation.

33. Plaint para 3(j). The charge, if true, affords only as an instance of misapplication and not misappropriation. Deft. denies that the horse is unnecessarily taken outside the village. We do not think that this charge must be seriously taken notice of.

34. Plaint para 3(k). It does not seem to be a correct statement to say that the Mysore Government pays the expenses into the hands of the 1st deft, for getting up Barahaza Santharpana. S uch of the provisions as are not brought or uld not be brought from Mysore are supplied by 1st deft they are paid for by the officials then and there. It ems to be true that there has been some rupture between 1st t and the officials recently and some complaint about the these We think it is either due to 1st deft's

57

laxityof policy or to his own ideas about the conduct ofthe dinners.]

[35. Plaint para 3 (L) The charge is too general and sweeping We are not satisfied that the 1st deft has been indifferent in the conduct of daily dinners according to the customs. In this connection, we may have to refer to the complaintant made to the District Collector by the Amildar of Manjarabad in the course of sanction proceedings. The Mysore Government pays a sum of Rs.35-8-0 a month to the temple Paditharas and Deeparadhana. It was stated that this amount was intended for maintaining two permanent lights daily during the whole year and for daily feeding 12 brahmins and that these are not maintained and that no accounts for this amount is kept by Ist deft. It is not denied that these monthly payments are credited in the temple accounts as they are realised, but the objection seems to be that the accounts do not show how these amounts are spent. So long dinners are conducted in the temple for more than 12 persons and solong as more than two Panda deepas are daily maintained and the expenses of daily dinners and Pandadeepas are met out of temple fundsm we do not think it could be said that the money paid by Mysore Government is not utilised for the purpose for which it is grante . It is not said and it cannot be said that any number less than 12 brahmins are fed daily or that lamps less than two are maintained. We do not think that the expenses of feeding 12 persons a day and of lighting two permanent lights can be met from out of the Rs.35-8-0 paid per month. It seems to us that what the Mysore Government grants is only a contribution towards the expenses incurred by the temple towards the said objects and is in the nature of an aid. To make the matter clear, the Mysore Government, in addition to the above sum, pays monthly Rs.13 or so of which one rupees is intended for the salary of a person to hold the gold or silver stick during the time of puja and Utsavas. It is possible to get a separate man in the village of Subramania who would

do this service for a monthly salary of one rupee ? The fact seems to be that this one Rupee represents the contribution made by Mysore Government towards the salary of temple servants who does the said service on behalf of the temple also. In our humble opinion it seems to us that so long as dinners are daily conducted in the temple and lamps are permanently lit,(the number being not less than the number prescribed), it cannot be said that there is any omission in the performance of the service for which the grant is made. If what is really wanted of the manager of the temple is an account showing how this sum of Rs.35-8-0 has been spent towards the feeding of 12 brahmins and maintenance of two lamps, then the manager has only to cook up some account showing a total of Rs.35-8-0 and that, we presume could not have been the object of the grant.

36. Plaint para 3(m). Ist deft says that the account of Bhoja Rao's time showed a debt of Rs.424 and odd as due to Bhoja Rao's children and not Rs.2000 as alleged by plffs. Since 1921, this sum has not been carried over by Ist deft and Ist deft has not paid any interest. These show that the Ist deft has not treated the debt as any valid debt. There has been no demand by Bhoja Rao's children though he died in 1918. We think that there is not much in this charge against Ist deft.

37. Plaint para 4. Charge as regards not performing the usual and customery viniyogas in the temple is also vague and sweeping. The instance of Ist deft not performing Narasinha Jayanti is subject matter of A.S.No.59 of 20 on the file of Sub Court with which we are dealing by a separate Award and the festival it seems to us is one in connection with Subramania Mutt and not in connection with the plaint temple. So far as veniyogas concerning the plaint temple are concerned. We are not at all satisfied that there is any omission or default.

As regards the accounts, it is not the case that Ist deft kept no accounts but the charge is that the account is not properly kept. We are prepared to hold that the accounts

are not properly kept, that is, in a manner in which they ought to be kept. It is said that there are certain discrepancies in the accounts, but from this we are not prepared to hold that the discrepancy is due to any misappropriation. In the materials before us we cannot say that misappropriation has been proved. The charge of misappropriation is too general and very vague and indefinite. The absence of a stock book and of vouchers for large sums is no doubt a serious matter and the absence of these would give scope for misappropriation but that would not justify us in charging Ist Deft of any misappropriation. It may be that some items of expenses mentioned in the accounts are unnecessary but that does not mean that on that account the entries are false. After all the entries of such items may be taken to disprove dishonesty. As we have pointed out above, under the present system, the trustee is himself the manager and as manager he draws no salary and it is an open secret that Ist Deft just like his predecessor lives with his family in a building adjoining to the temple and expenses of that household is met out of the temple funds. After giving our best consideration, we think we would be justified in exonerating Ist Deft from the charge as regards the accounts kept by him, in spite of the fact that it is possible~~t~~ to find out on examination that some of the items of expenses were unnecessary.

39. Plaint para 5(a). We fail to see how the affairs of the management would have been brought to a lis pendens. Ashramma's suit had been proceeded with as that was a suit for declaration of his hereditary right of dharmakartaship. The temple has been held long previously as being subject to the temple committee having no authority hereditary trustee. If Ashramma did not proceed with the suit, the fault could be laid at the doors of Ist Deft.

40. Plaint para 5(c). Beyond the suit relating to Narasinha Jayanti which is the subject matter of an arbitration award, no records have been placed before us to find out

whether a particular suit was or was not necessary and whether the costs incurred were reasonable or not.

41. Plaint para 5(d). The road involved in one leading from the temple to Kumaradara River and is an important and necessary one for the temple. It is this road that is used for Sadasthana (rolling by votaries). It seems to have been maintained by the temple and to be in the possession of the temple and the temple it is said was levying paskis. We think that there was justification and sufficient cause for the I st deft to have urged the temple claim over the road. If once the temple loses control over the road, it would lead to several complications and cause much harm and inconvenience to the temple.

42. In our opinion there is nothing definite beyond suspicion in some instances, to bring home to the 1st deft the several charges urged against him in the plaint and our finding on these charges is in favour of Ist deft. These charges though by themselves are insufficient to remove the 1st deft from his trusteeship yet by reason of laxity and imprudence of management by reason of our findings on issues 4 and 11, we think 1st deft should vacate his present office of trusteeship. Such is our finding on the latter part of 3rd issue.

43. Issue No.12. In conformity with our finding that 1st deft has not been satisfactorily proved to be guilty of misappropriation, we think that it would be only a wild goose to take an account of his past management though in a suit under section 92 C.P.C. it would be quite legal and valid to direct an enquiry to be made of the accounts of the trustee's prior management. 1st deft's schedule shows that there is a cash balance of Rs.5137 for which amount Ist deft will of course be liable to render a proper and true account. The accounts submitted by Ist deft to the court as receiver will also be checked and the balance paid over to the temple.

Issue 2. That the plaint temple owns valueable moveables of no doubt. At the same time, it is a matter for regret

ounts showing the particulars of these moveables

especially of gold and silver are forthcoming. It is a matter for still more regret that Mr. K.R.Karant deputed by the court was not allowed to make an inventory of all these valueable moveables. There are however before us three sets of lists. (I) The lists prepared by the temple Committee on the demise of the previous manager Bhoja Rao, (2) Plaint schedule C (3) the schedule produced by Ist deft along with his written statement. We have also in the records an inventory prepared by Mr.K.R.Karant but incomplete, as it is, we may take the same as accurate so far as it goes.

45. The lists prepared by the temple committee do not give the value and in case of some items, even the approximate weight is not given. Pffs complaint that these lists were prepared by the committee in collusion with Ist deft and that the lists omit some items and yet, in the absense of other basis the plaint schedule C only copies the lists prepared by the Committee, adding items which, according to them, have been left out at the preparation of these lists and adding two gold sticks admittedly got done after Ist deft became the trustee. Ist deft's schedule also copies the lists prepared by the committee and adds a few more items including the two gold sticks made by Ist deft. Though there is not much variance between the plaint schedule C and the Ist deft's schedule as to the numerical figures, they materially disagree as to the weight and value. Pffs have to admit frankly that the weight and value given by them in Schedule are only their guess work. As regards the weight and value given by Ist deft, it is open to the comment that Ist deft is interested in understanding their weight and value. In these circumstances it seems to us that the only way is to depute forthwith a trustworthy and competant commissioner to make a true and complete inventory of all the moveables belonging to the temple showing their weight and value and the basis on which the valuation is made by him and to submit the same

to court and deliver a true copy of the same with his signature to the board of turstees, first contributed. The commissioner will take with him the plaint schedule C and the schedule of moveables filed by Ist deft along with his writter statement and the inventory prepared by Mr.V.R. arant and the copy of inventory prepared by the temple committee for verification and his guidance The commissioner will note i any of the moveables mentioned in Ist deft's schedule are now missing as regards which a separate enquiry may be made in execution.

46. We have to note that Ist deft has admitted to us that there are three iron safes belonging to the temple of which one has been omitted in his schedule by mistake and ther, besides the moveables mentioned in his schedule, a gold jewel called Bandi belonging to the temple has also been similarly omitted in his schedule and has also shown this jewel to us when we were in the temple in December last.

47. As regards item 110 of plaint schedule C described therein as good gold of an estimated weight of 12 seers and worth Rs.7500, we have to say that this quantity does not appear either in the lists prepared by the temple committee or in the deft's schedule. The inventory prepared by the temple committee item 110 therein shows that there was 210½ tolas of gold pieces received as offerings. Deft's schedule No.110 mentions 96 tolas of gold pieces received as offerings. The account books kept by Ist deft shows that he has taken about 232 tolas of gold and made out of it two gold sticks of the weight of 128 tolas. Deft's schedule shows the two sticks contain 124½ tolas, deficit being apparently the wastage allowed to goldsmith.

One of the charges against Ist deft is that he has misappropriated the difference between 232 tolas and 128 tolas and yet in plaint schedule C, these two sticks are said to be of the weight of 220 tolas. As is seen from the accounts, total

t of 232 tolas taken yielded when purified 128½ tolas of

s that out of the stock of gold pieces

mentioned in the inventory prepared by the temple committee and of subsequent offerings 23½ tolas were taken for making gold sticks and 96 tolas mentioned in deft's schedule represents the balance left and subsequent offerings. There are no means for finding out what exact quantity of gold had been realised by the offerings and in these circumstances we have only to accept Ist deft's own figures. As for 12 seers of gold mentioned in plff's schedule, item 110 it seems to us to be a guess work based on certain statement made by late Bhoja Rao in a disposition given in 1899 about the existence of Gupta Bhandara. By Gupta Bhandara is meant secret. The temple jewels formerly used to be kept in Garbagrha. No body except Balpe Ashranna used to have access to the place where the Bhandaram was kept. Whenever jewels were required, for decorating the idol on occassions of festivals and special ceremonies, Balpe Ashranna alone used to take and give them and replace them after the ceremonies, The Bale Ashranna being thus the master of the situation, some jewels were found missing and on such a plea the jewels were got removed in about 1904 from Garbagraha and since then they are lodged outside the Garbhagraha. There is no record forthcoming to show what all jewels were thus brought out or to show whether at such time any gold other than jewels existed and of what weight or value. If there was gold other than jewels it is possible that Balpe Ashranna or previous manager with his connivance, might as well have removed. All that can be said is that, if there was gold, there was scope for misappropriation. There is nothing to show that if there was any gold the same is still in existence or that it has come into possession of Ist deft. We hold that ~~th~~ it has not been proved that the temple owns the moveable item 110 of plaint schedule C.

48. Our finding on issue No.2 will therefore be that the temple owns the moveables as specified in Ist deft's schedule, and in addition, an iron safe and a gold bandi and the moveables mentioned in Mr. .R.Narasa's inventory which are not also

mentioned in I to the plaint and such other movables which may be found by the commissioner in the temple premises and the value of all these movables will be ascertained through the commissioner. The director may in this respect to commissioner's inspector will be liable to be a separate enquiry in execution. The Director will be liable to the temple for all the temple movables and in the alternative to the value thereof as ascertained. The commission fee shall be met out of the temple funds.

Issue No.14. In the result, plaintiff will be entitled to a decree for following reliefs:-

(1) Ordering removal of defendants from his present trusteeship.

(2) Appointing a Board of new trustees, the defendant being not disqualified to be on the Board of the trustees.

(3) Vesting the plaint movables in the new temple and all its properties in the Board of the trustees.

(4) Appointing a commissioner to make an inventory of the movables and to ascertain the value thereof as per directions on issue No.2 and directing the differences as per the said inventory to be settled by the parties in execution and giving further directions as regards the removal at such enquiry.

(5) Settling a scheme for the future management and better administration of the trust.

Plaintiffs will be entitled to their costs of the suit inclusive of Rs.20 incurred by them in this enquiry to be paid out of the trust moneys. Defendants 3 to 6 will not be entitled to their costs. Plaintiffs will not be liable to pay the Defendant's costs of the suit.

19-3-1926 (signed) T. Subba Rao.

I. D. Temple

Trustees.

M.C. Writ Petn.

Decree.

Appendix. I.

Whereas it is deemed necessary to settle [illegible] giving directions for the management and better administration of the affairs of Sukeri Subramania temple situated in Hirisavady Taluk, the following have been enacted.

1. The temple and all its properties shall vest in a body of Trustees consisting of 5 members which shall hereafter be called the Board and the management shall be conducted by the Board through a paid person to be named hereafter as manager.

2. The following shall be the qualification for any person to become a member of the Board:-

(a) He shall be a male of sound mind and belong to any one of the sub ~~sects~~ sects of the Gaudasaraswath community who according to the custom interdine with each other.

(b) He shall be over 30 years of age.

(c) He should not be subject to any bodily infirmity, such as blindness, deafness, muteness or subject to any loathsome disease such leprosy.

(d) He must not be a convict of any offence involving moral turpitude.

(e) He should not be a trustee of any other religious institution situate within the district.

(f) He must be literate ~~of any other religious~~ and conversant with Canarese, able to read and write.

(g) He must possess unencumbered immoverable property paying an assessment of not less than Rs.50.

3. The clauses (a) to (f) shall be applicable to the manager also, who in addition shall have also fair knowledge of the language of the state. The manager shall furnish security for sum of Rs.1000 and in case of his furnishing his cash security he shall be entitled to get interest at 6¼ per cent on his cash deposit and the Board shall invest such sum in some registered Banks or Societies. The manager shall be an independent person and not be from amongst the members of the Board.

4. A person shall cease to be a member of the Board or to be the manager as the case may be (1) on his being sentenced by any court for any offence involving moral turpitude, or (2) if he becomes of unsound mind, or (3) if he becomes a bankrupt or applies for adjudication as an insolvent, or (4) if he becomes subject to any of the disqualifications mentioned in rule 2 above, or (5) if he ceases to profess Hindu Religion.

5. The first Board shall be constituted by the Court and the Board so constituted shall continue till the end of Pushya Suddha 15 of the year Shukla (1929-30) and shall retire when a new Board is formed hereunder but shall continue until the formation of the new Board.

6. The subsequent Board shall be formed from time to time once in 5 years by election or otherwise as laid hereunder. The members of the retiring Board shall be eligible for re-election or reappointment as the case may be. When the new Board is formed, the old Board shall retire but shall continue until then.

7. If no election is held, the temple committee to be formed under the Madras Act I of 1925 shall be competent to constitute the Board in conformity with these rules.

8. The Board shall hold all its meetings in the temple premises and shall at least hold 3 such meetings annually which shall be called ordinary meetings and which shall ordinarily be in the months of Badrapada, Margashara and Vaishaka

9. The Board shall appoint for each year one of them as the President and another as Treasurer. The Quorum for a meeting of the Board shall be 3. If the President is absent for the meeting, the members present shall appoint one among those present as President for the said

meeting. Any member of the Board who fails to attend two consecutive meetings shall vacate his seat in the Board but the other members shall be entitled to restore him by a resolution in writing. If any vacancy occurs in the Board of Trustees, the surviving members shall be entitled to fill up the vacancy for the unexpired period. The manager shall always be present at each meeting of the Board and shall answer all questions put to him and otherwise supply necessary information to the Board.

10. The day for each meeting shall be fixed by the President in consultation with the manager and shall be communicated to the other members of the Board at least 10 days prior to the date of meeting.

11. The members of the Board shall not be entitled to draw any salary but they shall be entitled to draw their travelling allowance at the rate of 4 annas per mile to and fro and a Rupee per day during the days of their travel and Rs.2 for each day of the meeting.

12. The Board shall appoint a manager so appointed shall hold his office until he is found unfit or removed, and the Board shall fix his salary from time to time but it shall not be less than Rs.50 per month. The manager shall also be entitled to free quarters near the temple premises. Whenever it becomes necessary for the manager to travel beyond 7 miles from the temple for any business in connection with the temple affairs, he shall be entitled to his actual travelling expenses not exceeding 4 annas per mile and an allowance of not more than 8 annas a day during each of the days of his absence from Subramania and in cases of the manager claiming the above charges, he shall maintain a diary showing the nature of the business for which he had to travel and the nature of business which detained him during the days, he claims allowance He shall submit the diary to the Board at its meeting and obtain a certificate from the Board before he draws out his fees and allowance from the temple funds.

13. The Board shall also be entitled to fix the salary of other establishment of the temple, to appoint, suspend and remove them. The manager shall also be entitled to grant leave and to make temporary appointment in anticipation of sanctionary by the Board. He shall be entitled to suspend or remove any servant of the temple but such servant shall have the right of appeal to the Board. The decision of the Board shall be final. The manager shall be considered to be a subordinate officer of the Board.

14. The Board shall have how to make bye-laws for the regulation and proper conduct of the affairs of the temple. Such bye-laws shall neither be inconsistent with these rules nor with the custom of the temple and shall be in conformity with natural justice and good conscience.

15. Proceedings of the meeting of the Board shall be entered in a bound book with consecutively numbered pages specially kept for the purpose and shall be kept in the temple office. The sense of the meeting shall be ascertained by votes and the opinion of the majority if there is a difference of opinion shall be operative and in the event of equality of votes the President of the Meeting shall have a casting vote. Any member of the Board dissenting from the opinion of the majority shall be entitled to record his dissent.

16. There will be a clerk whose duty it will be to maintain a true and proper and regular account. The accounts shall consist a ledger and separate day books for cash and kind, paid and received. The day books must be written up then and there and must be closed daily and the daily cash balance must be struck in the day book. The ledger must be written up without any unnecessary delay. The cash balance should be kept in the temple in one of the iron safes in the charge of the manager. As often as possible or at least once in a month the manager should sign the day book in token of his opinion

as to its correctness and once in a month, the cash balance should be submitted for inspection to the Board at each ordinary meeting and their initials to be with the counter signature of the clerk and manager. At all times whenever the Board so directs, the accounts should be exhibited to them.

17. At each meeting of the Board the manager shall exhibit the cash balance to the Board and keep it at their disposal. The Board shall decide what accounts should be left with the manager for the current expenses until the period of the next meeting and after lodging such sum with the manager the surplus shall be deposited by the Board in any of the Registered Banks or Societies for a period not exceeding one year as may then be resolved, in the joint names of the President and Treasurer and survivor of them who shall be entitled to operate upon them for the purpose of the temple. Whenever any sum thus deposited exceeds Rs.5000, the said sum shall be invested either in the purchase or mortgage of landed properties for the temple or deposited in Fixed deposits for any period longer than one year in any of the Registered Banks as may then be resolved upon.

18. The Board shall maintain and keep in repairs, the compound wall of the temple. Before any new construction on repairs (except of the emergent nature) are undertaken, an estimate must first be made and no such construction on repair should be undertaken unless there is surplus in the temple funds exceeding 1½ times the amount so estimated. The pillars of God's Sannidi being now in disrepair the Board should take prompt steps to reset them.

19. The manager shall be entitled to meet out of the temple funds in his hands, all routine expenses of the temple. He shall not be entitled to undertake any repairs except the ordinary monsoon repairs or repairs caused by unforeseen accident.

20. Neither the members of the Board nor the manager shall be any person dealings in moneys belonging to the temple.

21. The Board shall cause to keep closed dabbis(metallic) with a lid at the top of the vessel to receive kanikes offered by the votaries. Such dabbis shall be kept locked and sealed and shall be opened in the presence of the Board thrice a year at the time of ordinary meeting of the Board. The keys of the dabbis shall during the intervening period be in the custody of the Board as may be determined by the Board. The contents of the Dabbis when so opened shall be counted and noted both in the temple accounts and in the minute book of the Board. Unless the amount so found or portions thereof are found necessary for the current expenses of the temple, they shall be deposited in the Bank or Societies as indicated in rule 17 above. The offerings in kind should be sorted and kept separately and the details with their approximate value should also be noted in the temple accounts and the minute book. Once a year or at such convenient time, as the Board may think fit, they shall be melted and sold or kept in deposit as the Board shall then determine making a record as to how they have been dealt with. If any jewels or ingots or cash are offered by the votaries,(apart from those put by them in dabbis) they should be similarly dealt with. The system of keeping open vessels for receiving kanikes should no longer be allowed to continue. The Board shall cause the name of the institution engraved in bold type in front of the temple in its front outerwall.

22. The Board shall cause a separate book to be kept and get in it entered under convenient heads, all gold jewels and silver articles now existing and those that may be hereafter made or acquired. If any of these are sold or melted, the same shall be noted in the book just then and there. All other movables of a permanent nature shall also be entered in that book. It shall be competent for the Board to make for the temple any new jewels or articles of gold and silver. It shall be competent for the Board to sell or melt any articles of gold and silver as may be considered unnecessary for the use of the temple. But all these should be noted in the stock book of the temple and entered in their

minute book.

23. The Board shall determine from time to time what jewels or articles would be necessary for daily use and for minor festivals and for annual festivals and make suitable arrangements for their safe custody in the temple premises and no jewels shall be kept or removed from outside the temple premises except except when they may have to be given for any repairs.

24. The Board shall from time to time fix a scale of fees to be levied for each sevas and the scale shall as far as possible be in conformity with the existing practice of the temple. The manager or the member of the Board if present may be exceptional and individual cases decrease the sum but in no cause shall levy fees in excess. For all payments made by votaries for sevas, they shall be entitled to a receipt from the manager in the form prescribed by the Board.

25. The Board shall cause printed books containing duplicate forms of receipts to be passed by the manager. All receipts to be passed by the manager shall be prepared in duplicates in the above book and one shall be torn from the book and given to the person making the payment to the manager and the other shall be retained in the book itself. The manager shall acknowledge the receipt of rent also in the same manner.

26. The total amounts realised from sevas shall be entered in the accounts at the close of each day, and at all events next day before the entries of that day are entered in the accounts.

27. The tasdiks amount or ~~their state~~ other state contributions may be received and acknowledged by the manager. shall also be entitled to receive on behalf of the temple money order and postal parcels, insured or otherwise as may be sent to the temple. The Board shall have authority to withdraw from the manager any of those powers.

28. The manager shall be entitled to collect th rent due to the temple. Payments made to the manager shall not be valid unless the person paying the amounts to the manager obtains receipts from the manager in the form prescribed. The manager shall be entitled to sell rent rice and such other articles at the market rate and credit the same to the temple accounts. He shall be entitled to purchase necessary provisions to be stored for the temple use but in case of such purchases, he shall obtain proper vouchers.

29. Once in a year, the accounts of the temple shall be audited and the balance sheets be prepared. Out of the surplus left at the end of the year, the Board shall be competent to set apart 25 per cent towards the premises fund and 30 per cent as reserve fund for future contingent expenses. It shall be lawful for the Board to start an Ayurvedi Institution for the use of votaries and of the villagers and to meet the expenses thereof from surplus funds. It shall also be lawful for the Board to spend out of the surplus for aid in advancement of Sanskrit education.

30. The Board and manager shall co-operate with Mysore Government officials in the proper conduct of Barahazar Santharpane.

31. No legal action can be commenced or defended by the Board on behalf of the temple without previously obtaining the legal opinion in writing. No sale deeds or mortgages shall be taken by the Board on behalf of the temple without previously obtaining legal opinion in writing. All documents, leases etc shall be taken in the name of the deity and not in the name of the Board or the members thereof. The Board may allow the conduct of any action in courts to any of them or to the manager.

32. The usual pujas, festivals and other ceremonies and dinners shall be conducted properly and regularly according to the custo without any default or defect or omission.

33. If it is deemed necessary to effect any improvements on

temple lands, the manager shall make a report to the Board about the nature and the utility of improvements giving the estimated expenses thereof. Unless the Board approves and sanctions, the manager shall not be entitled to effect such improvements.

34. Every Hindu who is a male above the age of 21 years and has his domicile in any one of the villages mentioned in appendix II and who pays an assessment of not less than Rs.10 or pays any income tax and whose name appears in the roll prepared under these rules shall be entitled to vote at any election for the members of the Board. The voters intending to vote shall vote in person and not by proxy.

35. The election shall openly take place in or near the precincts of the temple and shall be held in the month of Pushya of the year when the Board vacates by termination of its period. The dates of the election should be a day nearer 6th Shudda in the month of Pushya.

36. Six months prior to election, the manager shall prepare a roll of electors entitled to vote and publish copies thereof in some conspicious part of the temple premises in more places than one.

37. If any omission of the names of any persons entitled to vote is brought to the notice of the manager within one month from the date of above publication, the manager shall include such names and publish revised lists in the above manner.

38. On a date after the expiry of one month from the date of the revised publication ~~itself~~ and to be notified in the revised publication itself, all objections to the revised list shall be heard and disposed of by the Board. The detension of the Board shall be final.

39. The Board shall then fix the exact date, time and place of election.

40. Persons qualified to become members of the Board and desirous of becoming members of the Board shall signifytheir intention in writing to the manager, at least six weeks prior to the date of election. The nomination paper shall be signed by the candidate and by at least 7 voters of three villages at least supporting his candidature, and the Board shall have power to decide about the validity of nomination.

41. The date, time and place of election and the names of candidates shall be published in the temple premises in the manner mentioned above and shall also be published in the two issues of any Vernacular local newspapers.

42. The election will be held on the day and at the time and place notified and in no other manner. The Board shall appoint an independant person to record votes. The voting papers shall be lodged in a box which will be kept sealed in the charge of the polling officer until next morning when the box will be publicly opened for counting votes shall declare the votes scored by each of the candidates. The names of the first five (5) candidates securing highest number of votes shall be declared by polling officer and these 5 shall constitute the Board of trustee s entitled to hold the office for another ter of 3 years.

43. The polling officer shall be selected by the Board and shall either be a Pleader of not less than 5 years' standi or a retired Government officer drawing a monthly pension of not es than 1.50. The polling officer shall be entitled to an allo ce of 1.15/- in addition to his travelling allowance of 4 annas per mile to and fro.

Appendix II

Ivarnad.
Yenmur.
Kalmadka.
Kaniyoor.
Kaimana.
Kuthkunja.
Kudmaru.
Keyyur.
Kodiyala.
Pambethodi.
Perveje.
Balila.
Belandoor.
Bellare.
Muppriya.
Murulya.
Kokkada.
Patrame.
Jalsoor.
Devachalla
Nelloor Kemrja
Padnoor.
Mudnoor.
Sulya.
Alankar.
Aithoor.
Aivathoklu.
Kadaba.
Kutrepadi.
Konthoor.
Kenya.
Kodimbala.
Kombaru.
Charvaku.

Polupadi.
Nooji-balthila.
Nekkiladi.
Perabe.
Bantra.
Balya.
Balpa.
Yedamangala.
Renjaladi.
Kale-Keranki.
Kemminja.
Norimogaru.
Puttur.
Mudnur.
Shantigodu.
Savanoor.
Sarve.
Ichlampadi.
Kalanja.
Kenaje.
Konaje
Karkradi.
Nelyadi.
Rekya.
Shibaje.
Shiradi.
Shirivagilu.
Shishila.
Pathyadka.
Ainekidu.
Enekal.
Kamalakaru.
Kollamogaru.
Guthigaru.

Malkur.
Balagodu.
Bidinale.
Subramanya.
Harihara Pallathadka
Bijathur.
Ramakunja.
Yonalu.

50808 76

No C.O. 550/25-26 Office of the Muzrai Commissioner in Mysore.
enclosure & cheque - Dated Bangalore, 29th/31 May 1926.

GEN. & REV. SEC. 2-JUN 192 MUZRAI

D/4444

From

C. S. Balasundaram Iyer, Esq., B.A.,
Muzrai Commissioner in Mysore,
Bangalore.

Dated 165-21-39

GENL. & REV. SEC. Bg. 1 JUN. 1926 G. D. SEC

To

C. Ranganatha Rao Saheb, Esq., B.A.,B.L.
Secretary to the Government of
His Highness the Maharaja of Mysore,
Revenue Department.

Sir,

In continuation of this office letter C.No.550/25-26 dated 4th May 1926 in the matter of the scheme suit for the better --- anagement of the temple at Subrahmanya, I have the honor to forward herewith copy of letter No.1095-25 dated 8th May 1926 from the -- Deputy Commissioner, Hassan District submitting a copy of the award passed by the arbitrators in the above suit with a scheme for the management of the above temple. From the Mysore Parpathegars report accompanying the records it will be seen that a Board consisting of 5 members has been constituted by the court and that Moktesar Anantha Rama Sarma has been dismissed.

2. The portions in the award dealing with the conduct of Mysore charities have been marked in black pencil. In addition to the -- grants mentioned in para 6, a sum of Rs.144-12-0 is paid annually for agama service in the temple.

3. In para 35 of the award the arbitrators have observed that the sum of Rs.35-8-0 a month paid by the Mysore Government for -- feeding 12 Brahmins daily and for maintaining ~~the~~ two permanent lights is only a contribution towards the expenses incurred by the temple towards the said objects, and that it is in the nature of an aid. They have made that statement in connection with a complaint made by the Amildar of Manjarabad Taluk to the District Collector in the course of sanction proceedings to the effect that no separate --- accounts had been kept and no separate feeding done by the trustee

trustee for the money paid by our Government. The view taken by the arbitrators seems to be the correct one because so long as more than 12 persons are fed and two Nanda Deepas are daily maintained it has to be considered that the Mysore Charities are carried out by the temple authorities. Moreover the present grant will not suffice for feeding 12 persons and maintaining two Nanda Deepas and if the Board of Management is asked to ear-mark it for that -- purpose it will naturally ask us to pay an extra amount. So for the above reason it seems to me that the present arrangement may continue. We can satisfy ourselves by calling for an annual report from our Parpathegar that the services are being done ----- properly.

4. The arbitrators have completely ignored the suggestions made by the Collector of South Canara in para 7 of his order dated 20th March 1923 about Mysore Representatives on the Committee of management. I beg therefore to suggest that in view of subsequent ---- developments a further representation may be made to the Collector South Canara for including two members on behalf of Mysore Government in the Board of Trustees appointed for the management of the temple.

I have the honor to be,

Sir,

Your most obedient servant,

for Muzrai Commissioner.

(absent from Station)

Letter No.1095-25 dated 8th May 1926 from the Deputy Commissioner, Hassan District to the Muzrai Commissioner in Mysore. 78

Subject.

Scheme suit for the better management of Sri Subrahmanyaswamy temple at Subrahmanya.

"With reference to correspondence ending with your memo No.650-25 dated 29th April 1926, I have the honor to state that no reply -- has been received from the Sub Judge Mangalore in reply to my letters dated 23rd March 1926 and 16th April 1926, requesting for copies of the award and decree. A copy of the award sent by the Mysore ------ Parpathegar and submitted by the Sub Division Officer, Saklespur with his memo No.12102/Genl. dated 30th April 1926 is herein enclosed for perusal and return. Attention is invited to the portions marked in black lead on pages 15 (para 35), 16 (the same para) and Appendix 1 page 29 (para 30 of the Appendix 1)."

"C o p y"

for Muzrai Commissioner.

THE SUBORDINATE COURT OF SOUTH KANARA O.S.NO.74/1923

30.3.26

Received the sum of Rs.9-8-0 from K.Shrinivasa Rao of Subramania Temple, Mysore Parupathegar being the typing fees of the Award.

Mangalore
30-3-1926

H. Bhavem Rao
Typist.

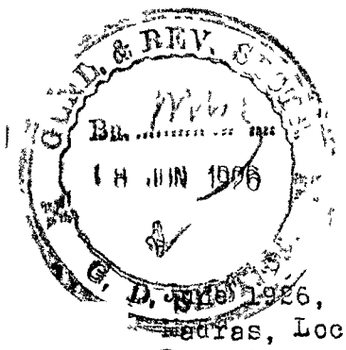
All communications should be addressed to the Secretary the Resident in Mysore, Bangalore, by designation and not by name.

OFFICE OF THE RESIDENT ~~IN~~ MYSORE,

Bangalore, 17th June 192 6.

No. 5270 Enclos. 1
394-1898.

D. 1517
265-21-40
Misc. Vol. 1421



A copy of the marginally* noted letter, ~~with enclosure~~ is forwarded with compliments, to the ~~Chief~~ Secretary to the Government of H. H. the Maharaja of Mysore, Revenue Department, for information with reference to his letter No. Pol. 1001/Auz. 265-21, dated the 24th April 1926.

*No. 13443-I-A1-L & M, dated the 7th from the Government of Madras, Local Self Government Department.

Major.
Secretary to the Resident.

BJ

P. O. 1251. R O. 106—30-1-1926—1,000.—R.P.B

Letter No.13443-1-A1-L & M, dated the 7th June from the Secretary to the Government of Madras, to the Resident in Mysore, Bangalore.

---:O:---

Reference your letter No.4074/394-1898, dated 5th May 1926 regarding Scheme suit in respect of Sri Subrahmanyaswami Temple at Subrahmanya.

I am directed to acknowledge the receipt of your letter referred to above and to say that the matter is engaging attention.

---:O:---

"C O P Y"

REGISTRAR, RESIDENT'S OFFICE.

of 180
mur 265-21-41 25/6/26

To

The Secretary to the

Hon'ble the Resident in Mysore.

Sir,

I am directed to acknowledge the receipt of your letter No.1421 dated 17th June 1926 forwarding copy of letter No. 13443-1-A1-L & M dated 7th June 1926 from the Secretary to the Government of Madras to the effect that the request made in my letter No. Pol. 1001 Muz. 265-21 dated 24th April 1926 is engaging attention. I am to state that information has been received from the Mysore Parapathegar of the Sri Subrahmanyaswami temple at Subrahmanya, that the Arbitration Committee referred to in my letter under reply, submitted their award to the Court of the Subordinate Judge, South Canara and that the Court has already decreed the suit in terms of the award and appointed a Board of Management consisting of 5 members in which there is no representative of the Mysore Government. I am to add that the Deputy Commissioner. Hassan District, had brought to the notice of the Court, before the passing of the decree. the suggestions of the Collector of South Canara in para 7 of his order No.4015-22 dated 20th March 1923 permitting the institution of the scheme suit, that the interests of the Mysore Government require their representation on the Board of Management. ~~In view of the fact that~~ the request of the Mysore Govt and the suggestions of the Collector ~~have~~

have been ~~completely~~ ignored both by the Arbitration Committee and the Court, ~~and a final decree has already been~~ in the passed in ~~the matter, Government feel that no useful purpose will be served by making further representation to the court.~~ I am therefore to request that ~~the~~ Court Collector of South ~~Canara himself~~ may, jointly, be moved ~~accord~~ to accept, ~~if possible, for~~ to arrange for the inclusion of two ~~members~~ representatives ~~on behalf~~ of the Mysore Government ~~on~~ in the Board of ~~trustees already appointed~~ Management,

the Govt of Madras

Mem 24/6/26

I have etc.

Revenue Secretary to Govt.

22-6-1926.

No. 25/26 Office of the Muzrai Commissioner in Mysore.

Dated Bangalore, 15th November 1926.

76

From

C. S. Balasundaram Iyer, Esq., B.A.,

Muzrai Commissioner in Mysore,

Bangalore.

REV. DEPT. 17-NOV 1926 MUZRAI 661

Mun 265-21-

16. NOV. To

R. Srinivasa Iyengar, Esq., B.A., B.L.,

Secretary to the Government of

His Highness the Maharaja of Mysore,

Financial Department.

RV 17/11/26

Sir,

With reference to your letter No.1109/M.F.244-25-4 dated 3rd March 1926, in the matter of guarding the interests of Government in connection with the annual Barahazar Santarpane at ----- Subrahmanya, I have the honor to invite kind reference to ---- correspondence ending with this office letter C.No.650/25-26 -- dated 31st May 1926, submitting, among other matters, that a further representation be made to the Collector of South Canara for including two members on behalf of Mysore Government on the Board of Trustees appointed for the management of the Sri ----- Subrahmanya swami temple. If an adequate representation of the Mysore interests is allowed on the Board, no difficulty can be anticipated in managing the conduct of daily and periodical --- worship etc., in the temple and also the Barahazar Santarpane. I would invite attention of Government to my reference of the 31st May 1926 referred to above.

I have the honor to be,

Sir,

Your most obedient servant,

CS Balasundaramayer

Muzrai Commissioner.

ak.

All communications should be addressed to the Secretary to the Resident in Mysore, Bangalore, by designation and not by name.

No. 9884 ENC.
394-1898

15-NOV 1926

MUZRAI
D. 165-3
fol 577

FROM

Major K.A.G. Evans Gordon,
SECRETARY TO THE RESIDENT IN MYSORE.

Mus 265-21-43

To

The Secretary to the Government of Mysore,
Financial Department.

Dated Bangalore, 15th November 1926.

Subject.

Representation of the Mysore Government on the Board of Management of Sri Subrahmanyaswami temple at Subrahmanya.

SIR,

With reference to your letter No.Pol.416/Muz. 265-21, dated the 10th November 1926, I am directed to say that the matter is stated to be under the consideration of the Board of Commissioners for Hindu Religious Endowments and that the Government of Madras have promised to send a reply shortly.

I have the honour to be,
Sir,
Your most obedient servant,

for SECRETARY TO THE RESIDENT.

All communications should be addressed to the Secretary to the Resident in Mysore, Bangalore, by designation and not by name

OFFICE OF THE RESIDENT IN MYSORE,

Bangalore, 30th November *192* 6.

No. 10351 Encls. 1
394-1898

Fol 639

D 731

Muz. 265-21-Gb.

A copy of the marginally* noted letter, ~~with enclosure,~~ is forwarded with compliments, to the ~~Chief~~ Secretary to the Government of H. H. the Maharaja of Mysore., Development Departments, for information with reference to his letter No.Pol.1180/Muz.265-21, dated the 25th June 1296.

No. 4922 dated the 19th November 1926, from the Government of Madras, Local Self Government Department.

(B)

for *Secretary to the Resident.*

P. O. 758, R O. 25.—2,000.—2-10-1925.—R. P. B.

Letter No.4922, dated the 19th November 1926, from the Secretary to the Government of Madras, Local Self Government Department, Fort St. George, to the Hon'ble the Resident in Mysore, Bangalore.

Sri Subramanya Swami temple at Subramanya - Uppinangadi taluk - South Kanara district - Representation of the Mysore Government on the Board of Management.

With reference to the correspondence on the above subject ending with your letter No.5576/394/1898, dated the 29th June 1926, I am directed to state that the Board of Commissioners for Hindu Religious Endowments considers that the representation of the ~~Kxx~~ Mysore Government on the Board of Management of the temple cannot be provided for in the scheme for the management of the temple as such a course will be against the provisions of Section 47(2) of the Madras Hindu Religious Endowments Act, 1923, vesting in temple committees the power to appoint trustees. The Government agree with the views of the Board in this regard. The Board is however willing to move the Court to insert provision in the scheme to afford facilities to the Mysore Government to make suggestions and representations in regard to the management of temple and also to direct the temple committee concerned to give notice to the Mysor Government before making appointments to the Board of Trustees an to give the suggestions of that Government careful consideration. The Government regret that nothing further can be done in this matter.

" C O P Y "

REGISTRAR, RESIDENT'S OFFICE.

APP F. VI. Gl.]

SUBJECT.....

Diary No. of letter replied to... .. .

General and Revenue Secretariat
( )
the 192

Date of issue 31-12-26

Signed by Mr M. V. Cyengar

List of enclosures .....

Copied by.....

Examined by.....

Section Mug
File No. 265-21
Seria No. 45
No. 1209 Home

To The Secr: to Govt

Sir,

With reference to the correspondence ending with your letter No C 650 of 25-26 & 16. 11. 26 in the matter of guarding the interests of Govt in Govt with the Banks of Sultanpore at Subramanya I am directed to forward herewith a copy of letter No. 4922 & 19. 11. 26 received from the Secr to the Govt of Madras through Hon'ble

over

Mr President, in response
to your request for my opinion
as to whether the proposed action
of the Secretary of State
would be lawful in
the circumstances.

Thank you

21/12/26

15. E.R. 30
1927

Dated July. 1927.

From

E. Vasudevaya, B.A., B.L.,
President of Board of Trustees of
"Kukke Sri Subramannya Temple" at Sub.
C/of
K. R. Achar, M.A., L.L.B.,
Vakil,
Kadri Road,
Mangalore

To

The Muzarai Secretary to the Government
of Mysore,
Bangalore City.

Sir,

I have the honour to inform you that under the scheme decreed by the Subordinate Judge of South Kanara in O. S. No. 74/1923, the following members were appointed as members of the Board, namely:-

E. Vasudevaya, B.A.,B.L.,
(President)
N. Krishna Bhatt, B.A., B.L.,
High Court Vakil.
B. Shivarama Holla, B.A.,B.L.,
K. R. Achar, M.A.,L.L.B.,

The said Board is the legally constituted body to manage the affairs of Sri Kukke Subramannya temple at Subramanya as provided in the scheme, the Board has appointed Mr. M. Seetharama Mayya, B.A., as its manager. The said Board is managing the temple affairs having taken possession of the temple through court.

Therefore all matters relating to the said temple may be dealt with either with the board directly whose pre

sent office is at [illegible] adri Road, Mangalore or with the manager [illegible]

I beg to remain,

Sir,

Your most obedient servant,

Art. F. VI. Gl.]

SUBJECT.....

.....

.....

Section Mlz

File No. 268 - 24

Serial No. 47

No. 265 Home

Diary No. of letter replied to.....

To

The Inuz. Conuz

General and Revenue Secretariat

( )

the *192*

Sir)

In cont of this office letter no. 1209 - Inuz. 265-24 dt 31-12-1926 forwarding a copy of the dt letter of the Madras Govt on the representation of this Govt re the Board of management of Sri Subrahmanya Swamy temple at Subrahmanya, Uppinangadi Taluq and enquiring whether he would suggest any further action being taken in the

Date of issue 29-1-27

Signed by: Venkatesa Iyengar

List of enclosures.....

Copied by.....

Examined by.....

over

WD 01265—GPB—31,000—24-12-25

matter, I am directed to forward herewith a copy of letter dated July 1927 from the President of the Board of Trustees of the said Temple, in the Enclosed and to request that the Submission of the further report called for may be expedited.

I am etc.

Asst Financial Secretary.

20.7.27

Asst 22/7/27

No. C S 13/27-28/one Office of the Muzrai Commissioner in Mysore.

Dated Bangalore, 29th October 1927. 1st November

GEN. & REV. SECRETARIAT. 3 NOV 1927 MUZRAI D 5742

From

P. G. D'Souza, Esq., B.A., P.L.,
Muzrai Commissioner in Mysore,
Bangalore.

To

FINANCIAL SEC 2 NOV. 1927 No. 6572

B. Srinivasa Iyengar, Esq., P.A., B.L.,
Secretary to the Government of His
Highness the Maharaja of Mysore,
Financial Department.

Sir,

With reference to correspondence ending with your letter No. 205/M.F.265-21 dated 29th July 1927 in the matter of the respresentation of the Mysore Government on the Board of management of the Sri Subramanya I have the honor to forward herewith copy of letter No.Muz.1095/25 dated 17th October 1927 from the Deputy Commissioner, Hassan ---- District, stating that the Government of Madras may be requested to - make a provision in the scheme of management as was suggested in the Local Self Government Secretary's letter No.4922 dated 19th November 1926 to the Hon'ble the Resident in Mysore and to allow the Mysore -- Parpathegar to attend the meetings of the Board and send a copy of the proceedings of each meeting to his office.

2. As the Secretary in the Local-Self-Government Department has already intimated that the representation of the Mysore Government on the Board of management of the temple cannot be provided for, there seems to be very little use in pressing the point again - Whether the Board which was actually come into being moved the court to make a provision in the scheme "to afford facilities to the Mysore Government "to make suggestions in regard to the management of temple and also "to direct the temple committee concerned to give notice to the Mysore "Government before making appointments to the Board of Trustees and "to give the suggestions of that Government careful consideration" "and if so, with what result, is not known. It seems to me that if "a provision as above is made in the scheme of management it will to some extent safeguard the interests of Government in connection with the daily services in the temple and the conduct of the Parabazar

Santarpane. I request therefore that the court may be moved to include the provision in the scheme, if no motion has till now been made in the matter.

3. As recommended by the Deputy Commissioner the Board may be requested to allow the Mysore Parpathegar to attend its meetings and to send a copy of the proceedings of each meeting to the Deputy Commissioner for information.

I have the honor to be,

Sir,

Your most obedient servant,

Muzrai Commissioner.

Letter No.Muz.1095-259 dated 17th October 1927 from the Deputy Commissioner, Hassan District to the Muzrai Commissioner in Mysore..

96

Subject:-- Management of Mysore Charities at Subrahmanya in South Canara District.

"With reference to your No.650/25-26 dated 10-1-27 and the subsequent reminder dated 6-9-27 calling for further report on the above subject, I have the honor to state that the Secretary to the Government of Madras, Local Self Government Department has definitely stated in his letter to the Honourable the Resident in Mysore that the ------- representation of the Mysore Government on the Board of management of the temple cannot be provided for under the Madras Hindu Religious -- Endowment Act, but that the Board is however willing to move the Court to insert provision in the scheme to afford facilities to the Mysore Government to make suggestions and representations in regard to the management of temple and also to direct the temple committee concerned to give notice to the Mysore Government before appointments to the -- Board of Trustees and to give the suggestions of this Government ---- careful consideration and that nothing further can be done in the matter.

under

Under the circumstances, the Madras Government may be requested to make such a provision in the scheme for the management of the temple. The Sub Division Officer, Saklespur Sub Division suggests that the Board of Trustees may be requested to allow the Mysore Parpathegar to attend its meetings and also send a copy of proceedings of each meeting to this office. This suggestions may be recommended for adoption.

The connected report is herewith enclosed for favour of perusal.

"C o p y"

For Muzrai Commissioner.

Pol 613 & 25/11/27

Mcy 265-21-49

To

The Secretary to the

Hon'ble the Resident in Mysore.

Sir,

Adverting to your memo No. 10351-394 9/18 98 dated 30-11-26 forwarding a copy of letter No. 4922 dated 19-11-26 from the Secy. to the Govt. of Madras, Local Self Govt. Deptt, Fort St. George, stating that the Board of Commissioners for Hindu Religious Endowments is willing to move the Court to insert a provision in the scheme for the management of the Sri Subramanya Temple, Kadaba ~~to afford facilities to~~ Uppinangadi Taluk, South Canara District to the Mysore Govt. to make suggestions and representations ~~in regard to the management of Sri Subrahmanya Swamy temple in the Uppinangadi Taluk, South Canara District~~ and also to direct the temple Committee concerned to give notice to the Mysore Govt. before making appointments to the Board of Trustees and to give their suggestions ~~that Govt.~~. careful consideration, I am directed to state that the arrangement proposed does not quite meet the wishes of the Govt. of H.H. the Maharaja but that the Board may as proposed, be requested to move the Court to include the provision suggested in the scheme if no motion to the effect has till now been made in the matter. I am also to request that the Mysore Parpathegar may be allowed to attend the meetings of the Board of Trustees, and that the Board may be requested to send a copy of the proceedings of each meeting to the Deputy

Deputy Commissioner, Hassan District for information.

I have &c.,

22/11/27.

Financial Secretary.

21.11.27

23/11/27

Copy to the M.C. for information. 873 25-11-27

By order,

Fl. Secy. to Govt.

21.11.27

100

[R.O. 106.]

All communications should be addressed to the Secretary to the Resident in Mysore, Bangalore, by designation and not by name.

OFFICE OF THE RESIDENT IN MYSORE,

20225

Bangalore, 10 February 1928.

No. 1440 Enclos. 1

Pol 103/ GEN. & REV. SECRETARIAT. 14 FEB 1928

MUZRAI 0107 b

265-21-50

GEN. & REV. SECTT. Br 11. FEB. 1928 G.D. SECTION.

FINANCIAL SECRETARY 13 FEB. 1928 No.

A copy of the marginally* noted letter, ~~with enclosures~~ is forwarded with compliments, to the ~~Chief~~ Secretary to the Government of H. H. the Maharaja of Mysore, Financial Department, for information, with reference to his letter No.Pol.613/Muz.265-21, dated the 25th November, 1927.

*L&M. Mis.524- dated the 8th February, 1928 from the Government of Madras, Local Self-Government Department.

23/2 Mysr 2/1928

14/2 15/2

Captain
for *Secretary to the Resident.*

SJR

531—15-9-1927—5,000—RPB.

Letter No.Mis.524 L&M. dated the 4th February 1928, from the Secretary to the Government of Madras, Local Self-Government Department, to the Hon'ble the Resident in Mysore, Bangalore.

SRI SUBRAMANYASWAMI TEMPLE AT SUBRAMANYA, UPPINANGADI TALUK, SOUTH KANARA DISTRICT - REPRESENTATION OF THE MYSORE GOVERNMENT ON THE BOARD OF MANAGEMENT.

With reference to the correspondence on the above subject ending with your letter No.12024/394/1898, dated 30th November 1927, I am directed to state that the contemplated application for the modification of the scheme for the management of Sri Subramanya temple will be filed in the District Court as early as practicable and that the request of the Mysore Government that the Mysore Parpathegar may be allowed to attend the meetings of the Board of -- Trustees and that a copy of the proceedings of each meeting may be communicated to the Deputy Commissioner, Hassan District, will then be duly considered.

---:oOo:---

" C O P Y "

Captain
REGISTRAR, RESIDENT'S OFFICE.

A. P. F. VI. G1]

SUBJECT.....

.....

.....

Section Muz

File No. 265 - 21.

Serial No. 57

No. 1469 Secret

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

the *192*

To The Muz. Comr.

Date of issue 23/2/28

Sir,

In contn of this office memo no. 873 - muz. 265-21 Dt 25.11.27 forwarding a copy of the Comr's of the same date addressed to the Residency in the matter of affording facilities to the mysore Govt. to make representations Re the management of Sri Subrahmanya - Swamy Temple at Subrahmanya I am directed to forward

Signed by Mr. T. K. Someswara Iyer.

List of enclosures.....

Copied by .....

Examined by .....

over

WD 0325—GPB—87,000—26 5-27

herewith for your information
copy of Letter no 1440 Dt 10.2.28
from the Secty to the
Resident together with a copy
of its enclosure viz)
" Letter no nil. 524 d 4-m.
Dt 4.2.1928 from the Madras
Govt stating that the contemplated
application for the sanction
of the Scheme for the
management of the said
temple will be filed in
the Dist Court as early
as practicable etc.

I have etc.

17.2.28

(M) Asst Secty.

16/2/28